CULTURE, CULTURAL IDENTITY, AND THE ROLE OF CULTURE IN THE REHABILITATION OF ABORIGINAL OFFENDERS

By

Lori Pruce
BA, Simon Fraser University, 1990

EXTENDED ESSAY SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF

MASTER OF ARTS IN CRIMINAL JUSTICE

In the
School of Criminology and Criminal Justice

© Lori Pruce 2010

University of the Fraser Valley
Summer 2010

All rights reserved. This work may not be reproduced in whole or in part, by photocopy or other means, without permission of the author.

APPROVAL

Name: **Lori Pruce**

Degree: **Master of Arts in Criminal Justice**

Title of Extended Essay: **Culture, Cultural Identity, and the Role of Culture in the Rehabilitation of Aboriginal Offenders**

Examining Committee:

Chair: Zina Lee, Ph.D.

Irwin Cohen, Ph.D.
Senior Supervisor

Martin Silverstein, Ph.D.
Supervisor

Glen Brown, M. Ed.
External Examiner

Date Defended/Approved: December 15, 2010

Declaration of Partial Copyright License.

The author, whose copyright is declared on the title page of this work, has granted to the University of the Fraser Valley the right to lend this major paper, thesis, project or extended essay to users of the University of the Fraser Valley Library, and to make partial or single copies only for such users or in response to a request from the library of any other university, or other educational institution, on its own behalf or for one of its users.

The author has further granted permission to the University of the Fraser Valley to keep or make a digital copy for use in its circulating collection, and, without changing the content, to translate the major paper/thesis/project or extended essay, if technically possible, to any medium or format for the purpose or preservation of the digital work.

The author has further agreed that permission for multiple copying of this work for scholarly purposes may be granted by either the author or the Associate Vice-President, Research and Graduate Studies.

It is understood that copying or publication of this work for financial gain shall not be allowed without the author's written permission. Permission for public performance, or limited permission for private scholarly use, of any multimedia materials forming part of this work, may have been granted by the author. This information may be found on the separately catalogued multimedia material and in the signed Partial Copyright License.

The original Partial Copyright License attesting to these terms, and signed by this author, may be found in the original bound copy of this work, retained by the University of the Fraser Valley Heritage Collection.

University of the Fraser Valley
Abbotsford, B.C.

Abstract

Aboriginal people are vastly over-represented in the Canadian Criminal Justice system and it is widely accepted that this is the result of colonization, assimilation, and continued marginalization of Aboriginal people (see Aboriginal Justice Inquiry, 1991; Perreault, 2009; Roach and Rudin, 2000). As part of the process of colonization and assimilation, colonizing agents purposely destroyed Aboriginal culture and traditional knowledge (Corrado et al, 2008; LaPrairie, 1998). However, many Aboriginal people are now attempting to recapture their traditional knowledge of healing in an effort to revitalize their communities. Traditional healing programs are being established in correctional facilities and offered as alternatives to Western-based rehabilitation programs. This paper, therefore, draws on the connection between traditional Aboriginal healing systems and cultural identity and rehabilitation. The question of how and why culture is important to identity and rehabilitation is explored by highlighting how culture can benefit the Aboriginal offender; particularly in the teaching and encouragement of traditional cultural values, beliefs and traditions, and in the establishment of self and cultural identity. Knowledge and understanding of Aboriginal culture and traditional healing may enhance rehabilitation by anchoring offenders to a history, culture, and identity that they have been deprived of. As a result, this major paper provides a critical review of the current literature and research about the state of culture-based rehabilitation programs for Aboriginal offenders in Canada.

Acknowledgements

I wish to express my sincere gratitude to my committee for affording me the privilege of learning from their mentorship. Your dedication to the pursuit of knowledge and teaching is deeply respected. My deepest gratitude to Dr. Irwin Cohen; whose expertise guided me without undue influence or restriction of idea. Dr. Cohen not only served as my supervisor, but also encouraged and challenged me throughout my academic program. He and other faculty members guided me through the process, had confidence in me when I doubted myself, and never accepted less than my best efforts.

My sincere thanks to friends and colleagues who have worked and studied beside me throughout the years. To Kathy and Ron Dougherty, for the comforts of your home while I had to be away from mine, thank you. My most heart-felt thanks to my colleague, Brian Young. Your on-going encouragement and input has kept me on task and helped me refine my work. You inspired me and made available your support in a number of ways and without this I would not have enjoyed the program as thoroughly as I have.

I thank my husband, Art, and my children; Bronte, Eli, Monet, and Ezra. Thank you for your love and support, and for your patience and understanding. You will always have my support and encouragement to pursue your interests – whatever they may be.

Above all others, I give thanks to God.

Dedication

My parents have been a point of reference in determining my own identity, and this paper is dedicated to them - to my mother, Olive Doucette, and to my first dance partner, Thomas F. Haddock (1941 – 2010). "Quand le soleil dit bonjour aux montagnes, et quand la nuit rencontre le jour, je suis seule avec mes rêves sur la montagne, une voix me rappelle toujours."

Table of Contents

APPROVAL ii
Abstract iv
Acknowledgements v
Dedication vi
Table of Contents vii
INTRODUCTION 1
CHAPTER ONE – OVER-REPRESENTATION AND CULTURAL DESTRUCTION 5
Aboriginal Over-Representation in the Criminal Justice System 5
Aboriginal Offender Profile 7
Recidivism and Rehabilitation 8
Theories of Over-representation 10
Culture Clash Theory 10
Socio-Economic Theory 12
Colonization Theory 15
Colonialism and Racial Discrimination 18
Colonialism, Cultural Destruction, and Criminal Behavior 19
Residential Schools 20
Intergenerational Trauma and Complex Post Traumatic Stress Disorder 21
Loss of Community Support Systems and Criminal Behaviour 22
Government Policy 24
Summary 30
CHAPTER TWO – CULTURE AND TRADITIONAL HEALING SYSTEMS 34
Aboriginal Language 35
Aboriginal Worldview 37
Holism 38
Connectedness 39
Balance 40
Community 42
Ceremony and Traditions 43

Spirituality 45
Traditional Healing Systems 47
Summary 48
CHAPTER THREE – IDENTITY AND CULTURAL IDENTITY 50
Aboriginality 50
Identity Development and Self-Esteem 52
Cultural Identity, Self-Esteem, and Belonging 53
Wounded Identities and Trauma 55
Prejudice 56
Community Disruption and Socio-Cultural Conditions 58
Mental Health and Addictions 59
Summary 61
CHAPTER FOUR – CULTURE-BASED REHABILITATION FOR OFFENDERS 62
Restoring Identity and Cultural Identity 62
Types of Programs 66
Sweat Lodges 66
Elders 67
Pathways Units 68
Core Programming 68
Healing Lodges 70
Models of Promising Practice 70
Identity, Cultural Identity, and Self-Esteem 74
Completion Rates and Effectiveness 77
Risk, Needs and Responsivity 77
Risk / Needs 77
Responsivity 80
Recidivism and Reintegration 83
CHAPTER FIVE: CONCLUSION 86
Bibliography 94

INTRODUCTION

Aboriginal people are grossly over-represented in the Canadian criminal justice system, and many government policies and programs have been implemented in an attempt to address the problem. Many of those initiatives have been culture-based and have focused on preventing Aboriginal people from coming into conflict with the Western value-based criminal justice system, while others have been implemented in an attempt to reduce the judiciary's over-reliance on custody for Aboriginal offenders. Therefore, this major paper examines culture-based rehabilitation programs for this distinct population of offenders. It is generally accepted that the effectiveness of culture-based programs is linked to their ability to develop or renew an offender's cultural identity; however, little is understood about the theoretical underpinnings or the effectiveness of these programs. In an attempt to contribute to the understanding of the role of culture in rehabilitation, this major paper explores the concepts of identity development and self-esteem, cultural identity, and aspects of Aboriginal culture purported to be critical to the rehabilitation of Aboriginal offenders.[1]

The paper begins with an examination of the current issue of Aboriginal over-representation. The common theories of the causes of over-representation are identified to illustrate the different attempts by academics and government officials to understand the problem of over-representation. These attempts to 'indigenize' the system demonstrate the complexity of the problem and the challenges facing solutions. However, there seems to be encouraging

[1] There are great differences amongst Aboriginal people in Canada and many terms used to refer to the distinct nations. While it is improper to generalize, there are also great similarities between Aboriginal people. For the purposes of this major paper, Aboriginal peoples will be respectfully discussed as a whole and the term Aboriginal is used consistently throughout.

research that culture-based treatment programs offer Aboriginal offenders an effective alternative to Western-based therapeutic approaches. This major paper aims to make explicit the role of culture and the importance of cultural identity to rehabilitation, and identify areas requiring further study in order to support the further development of these programs.

To place the problem of over-representation in its proper context, this paper offers a brief overview of the history of Canada's Aboriginal people, their relationship with the Canadian government, and the government policies of forced assimilation that acted as an assault on Aboriginal people through the purposeful destruction of their culture. The theory of colonialism, specifically as it relates to the destruction of culture, is discussed, and the damaging effects of assimilation policies on Aboriginal cultural identities are explored. The phenomenon known as intergenerational trauma is also discussed in an attempt to explain the problems that many Aboriginal communities still face.

This major paper also explores the damaging effects of the destruction of culture on Aboriginal people and the importance of the development or renewal of cultural identity and self-esteem as protective factors against self-destructive and criminal behavior. Therefore, developmental theory, as it relates to the importance of self-esteem, is also examined in an effort to bring further clarity to the theoretical understanding of the role of culture in rehabilitation programs for Aboriginal offenders. Additionally, the key concepts and values of Aboriginal culture, and those that characterize an Aboriginal worldview of health and wellness are explored.

The history of the development of culture-based rehabilitation programs in the Canadian federal prison system is also discussed, and the literature that examines these programs are reviewed in an attempt to identify the research that supports the effectiveness of these programs, the program models that seem to be most promising, and the areas of concern that need to be

addressed in order to continue to support traditional culture-based approaches to healing Aboriginal offenders. There are many areas of overlap and characteristics shared with Western treatment modalities, and many culture-based healing program models blend conventional psychotherapeutic approaches with time-honored Aboriginal healing approaches to create another way of helping Aboriginal offenders. While the use of culture as an add-on can be an effective strategy for increasing the responsivity of a program, this major paper suggests that Aboriginal culture and healing methods may be effective forms of treatment or healing in and of themselves. Still, further research should be encouraged to support the development of policy that can guide the implementation of what is found to be effective.

Chapter one explores the extent and complexity of Aboriginal over-representation in the Canadian criminal justice system and provides an overview of the theoretical explanations for over-representation that have been put forward by various academics. The theory of colonization is explored in more detail than other explanations as it relates the social and mental health problems and criminal behavior of Aboriginal offenders to the destruction of culture, forced assimilation, and marginalization of Aboriginal peoples. This chapter also includes a cursory examination of some of the initiatives of government to address the over-representation of Aboriginal people in the criminal justice system, including the introduction of Aboriginal culture as a form of rehabilitation. In chapter two, Aboriginal culture is explored in some detail. Acknowledging the diversity of Aboriginal culture, the core values, and the central tenets of Aboriginal culture are described as they relate to assisting an offender find wellness in themselves and in relationship with others.

In chapter three, the concepts of identity development and cultural identity are explored, followed by a discussion of the extensive damage done to identities of many Aboriginal people

as a result of intergenerational trauma. While the theory of colonialism forms the theoretical framework to understand over-representation, in this chapter, developmental theory and the phenomenon of complex PTSD form the theoretical framework to explain the role of culture in treatment and rehabilitation. Finally, in chapter four, various forms of culture-based programs are identified and discussed, and the role of culture in rehabilitation is explored as it relates to restoring a healthy identity and cultural identity, improving program completion rates and outcomes, and reducing Aboriginal recidivism.

CHAPTER ONE – OVER-REPRESENTATION AND CULTURAL DESTRUCTION

Aboriginal Over-Representation in the Criminal Justice System

Aboriginal people are over-represented in the Canadian criminal justice system overall but specifically in the prison system (Royal Commission on Aboriginal Peoples [RCAP], 1996; Public Inquiry into the Administration of Justice and Aboriginal People [Aboriginal Justice Inquiry], 1999). In 1999, the Supreme Court of Canada termed the problem of Aboriginal over-representation a "crisis" (Gladue, 1999; as cited in Roach and Rudin, 2000: 356). According to the most recent report on the incarceration of Aboriginal people by Statistics Canada, while Aboriginal people represented only 3% of the Canadian population in 2007/2008, they accounted for 22% of admissions to sentenced custody (Perreault, 2009). The representation of Aboriginal offenders in custody in all provinces and territories exceeds their representation in the general public; however, the representation of Aboriginal adults in custody is higher in Western Canada (Perreault, 2009). For example, in Saskatchewan, the number of Aboriginal persons in custody is seven times higher; while they make up only 11% of the provincial population, they account for 81% of the sentenced population (Perreault, 2009). The Department of Justice Canada reported that the situation for Aboriginal youth was the same, if not worse, than for Aboriginal adults. Latimer and Foss (2004) reported that Aboriginal youth comprised only 5% of the Canadian youth population, but accounted for 33% of the youth custody population. Calverley et al. (2010) reported that, in 2006, Aboriginal youth accounted for 6% of all youth in Canada, but their representation of the youth custody population had increased to 36%.

To put the problem of Aboriginal over-representation in a global context, it is well understood that the serious social and economic problems experienced by Canada's Aboriginal people are not unique to Canada's indigenous population, and many indigenous people share the

common experiences of colonization and genocide (Fideres, 1993). Many indigenous peoples have been subjected to oppressive government policies, dispossessed of their land and traditional economies, and have had their cultures and languages taken from them. Fideres (1993) reported that indigenous persons in other countries are commonly grossly over-represented in the criminal justice system. Like many colonial governments around the world, the Canadian government has been aware of the situation of over-representation in Canada for several decades, but it only became a matter of significant public policy when, in 1988, a report for the Canadian Bar Association written by Professor Michael Jackson of the University of British Columbia gave the issue prominence (Rudin, 2007). Since then, many official inquiries have documented the concern, and, as a result of the attention to the problem, government policies and practices have been introduced in an attempt to reform the criminal justice system. In the 2001 Throne Speech, the Canadian government reaffirmed its recognition of the need to reduce the numbers of Aboriginal people entering the criminal justice system, and committed to address the problem so that, within a generation, the percentage of Aboriginal people in the criminal justice system would be no higher than the Canadian average (Rudin, 2007).

Despite the many attempts to reform the criminal justice system, the situation of Aboriginal offenders has not improved and the reforms are not having a significant effect in slowing rates of incarceration (Roberts and Melchers, 2003; Rudin, 2007). In fact, in 2003, Roberts and Melchers reported that, although the volume of Aboriginal admissions had declined since 1993, the admission rates for non-Aboriginal admissions declined even faster. This persistence of over-representation suggests the need to continue to identify solutions; however, according to Rudin (2007), it is anticipated that the problem of over-representation is going to worsen. The majority of offenders sentenced to federal institutions are under the age of 30, and

since Statistics Canada data suggests that the Aboriginal population is growing at a rate four times that of the non-Aboriginal population, the situation of over-representation is expected to worsen (Aboriginal Initiatives Directorate. Correctional Services Canada, 2006). The need to find more effective solutions, therefore, is critical.

Aboriginal Offender Profile

In order to understand the rehabilitative needs of Aboriginal offenders, and for Correctional Service Canada to meet the challenge facing them, it is necessary to have a clear understanding of the cultural and historical differences between Aboriginal and non-Aboriginal offenders, and to accept that these differences may translate into a need for different approaches to rehabilitation. To begin with, the profile of Aboriginal offenders is different from that of non-Aboriginal offenders. For instance, Aboriginal offenders were more likely to be incarcerated for violent offences than non-Aboriginal offenders (Motiuk and Nafekh, 2000; Trevethan et al., 2000; Trevethan et al., 2002). With respect to offence patterns, Aboriginal offenders tended to have a more extensive criminal history and more violent criminal behaviour histories, and as a result of a higher risk assessment, Aboriginal offenders were more often recommended for maximum security facilities (Aboriginal Initiatives Directorate. Correctional Services Canada, 2006). Moreover, Aboriginal offenders do not apply for temporary absences or parole as often as non-Aboriginal offenders, and when they do, they are not granted their requests as often (Trevethan et al., 2002). The fact that Aboriginal offenders spend more time in jail and have greater problems with reintegration suggests the need for prison-based programs for Aboriginal offenders.

The criminogenic needs profile of Aboriginal offenders tends to be complex and include needs related to addictions, employment and education, and health. This also serves to emphasize

the complexity of rehabilitation needs for offenders in the criminal justice system. Criminogenic needs are often referred to as causal needs, and they are the characteristics of an offender that can be changed to reduce offending (Bonta, 1996, cited in Singh and White, 2000). In 2007 / 2008, Aboriginal adults entering a federal prison were typically assessed as having a higher number of criminogenic needs than non-Aboriginal adults (Perreault, 2009). Regarding their background history, Ellerby and MacPherson (2002) found that Aboriginal adult offenders were more likely to have experienced parental separation and/or a death in the family, to have had severely dysfunctional families, and to have experienced family violence and inappropriate sexual behaviour. They also found that Aboriginal offenders had higher rates of childhood sexual abuse, neglect, and substance abuse. In effect, there were prominent differences between Aboriginal and non-Aboriginal offenders, in both the federal and provincial custody settings, in the domains of substance abuse and personal emotional challenges (Trevethan et al., 2003).

Recidivism and Rehabilitation

The importance of exploring the role of culture in the healing of Aboriginal offenders in prison-based rehabilitation programs is clearly supported by the high rates of recidivism and parole revocation amongst Aboriginal offenders. LaPrairie (1996) found that Aboriginal offenders were almost twice as likely to have their conditional release revoked. Tevethan et al. (2007) reported that many studies found that Aboriginal offenders tended to have higher rates of recidivism than non-Aboriginal offenders (Bonta, LaPrairie, & Wallas-Capretta, 1997; Bonta, Lipinski, & Martin, 1992; Sioui and Thibault, 2001; Welsh, 2000). A study by Sioui and Thibault (2001) revealed that Aboriginal offenders had a higher rate of recidivism at 18% compared to 11% for non-Aboriginal offenders. They also found that the rate of recidivism was

even more pronounced for younger offenders (18 to 25 years old) with an Aboriginal recidivism rate of 31.6% compared to 20.4% for non-Aboriginals. Given these findings, the researchers concluded that recidivism was one of the major reasons Aboriginal offenders were over-represented in prisons.

Data from 2003-04 revealed that Aboriginal offenders were more likely to return to federal custody within a two-year period with new federal sentences at 13.5% compared to 10.0% for non-Aboriginal offenders. Moreover, Aboriginal offenders were twice as likely to be charged with a violent offence while on parole (Aboriginal Initiatives Directorate. Correctional Services Canada, 2006). Aboriginal offenders were also more likely to be incarcerated than to be supervised in the community by Correctional Service Canada, and Aboriginal offenders also tended to serve the majority of their sentence incarcerated rather than on community supervision (Aboriginal Initiatives Directorate. Correctional Services Canada, 2006).

Despite the disadvantages forced upon Aboriginal people throughout Canadian history, they have become stronger in their efforts to lobby government for the right to self-determination and self-government. Part of this movement towards self-determination has included efforts to recapture traditional knowledge as a means to revitalizing communities (Ranford, 1998). Aboriginal people have also been successful in lobbying governments for improvements to ensure a fair and equitable justice system (Smandych, Lincoln, & Wilson, 1993). LaPrairie (1998) asserted that the strong Aboriginal political movement towards self-government has resulted in greater involvement of the Aboriginal community in the criminal justice system in an attempt to establish more effective alternatives to incarceration for Aboriginal offenders. Aboriginal people have called for recognition of their legitimate "system" of justice that is focused, not on punishment, but the restoration of people and relationships (Hughes and

Mossman, 2001). Likewise, there has been a movement towards the recognition of the value of traditional healing systems and culture-based rehabilitation programs, not just as an adjunct, but as an effective alternative to contemporary Western-based approaches to the rehabilitation of Aboriginal offenders. This movement has started to establish itself in the treatment of addictions and mental health, and corrections officials have learned a great deal concerning culture-based healing for offenders.

Theories of Over-representation

Three prominent theories have been advanced to explain the problem of over-representation and, while each of them has merit on their own, taken together, they demonstrate the complexity of issues surrounding the over-representation of Aboriginal offenders. The theories were presented in The Royal Commission on Aboriginal Peoples (RCAP) as: culture clash; social-economic; and colonialism. Each of the three different theories has resulted in corresponding social, economic, political, and justice reforms that sought to improve the quality of life of Aboriginal peoples in Canada or to reduce the level of alienation felt by Aboriginal people involved in a criminal justice system.

Culture Clash Theory

Culture Clash theory asserted that the concepts of justice between Aboriginal people and Western cultures "were fundamentally different" (Corrado, Cohen and Watkinson, 2008:79), and that due to differing concepts of crime and justice, misunderstandings and barriers in communication resulted in systemic discrimination and injustices for Aboriginal offenders. It is important to distinguish between racism and systemic discrimination. Where racism is overt discrimination against Aboriginal people based on a belief that they are inferior, and while there

is sufficient evidence to assert that Aboriginal peoples have suffered as a result of racist government policy, Culture Clash theory focuses not on racism, but on the concept of systemic discrimination. Systemic discrimination, while perhaps not intentional, discriminates against Aboriginal people based on the failure to recognize and accommodate for differences between cultures (Smandych et al., 1993).

Smandych et al. (1993) argued that the over-representation of Aboriginal peoples in the criminal justice system was due, in part, to systemic discrimination as a result of differences between the macro Canadian culture and Aboriginal cultures. Palys (1993) concurred that Aboriginal offenders were disadvantaged whenever they were placed in the Canadian criminal justice system as a result of their cultural differences. The Aboriginal Justice Inquiry (1991) asserted that "a system that seeks to provide justice on the principle that all Canadians have common values and experiences cannot help but discriminate against Aboriginal people, who come to the system with cultural values and experiences that differ substantially from those of the dominant society". The consensus in Canada is that the values and beliefs of the Criminal Justice System are based on our collective values and beliefs, and there is a consensus that ideas about crime and punishment are based on what most Canadians want and believe. However, the Report emphasized the need to acknowledge that these beliefs were imposed upon an ancient culture that held and continues to hold very different beliefs.

Recognizing this, government policy has attempted to address the problem of systemic discrimination inherent in the Western system of justice:

> The Canadian criminal justice system has failed the Aboriginal peoples of Canada – First Nations, Inuit and Métis people, on-reserve and off-reserve, urban and rural – in all territorial and governmental jurisdictions. The principal reason for this crushing failure is the fundamentally different world views of Aboriginal and non-Aboriginal people with respect to such elemental issues as the substantive content of justice and the process of achieving justice.
>
> Royal Commission on Aboriginal Peoples, 1996: 309.

Having acknowledged the evidence of systemic discrimination reported by the Royal Commission, governments tried to deal with the problem by making changes within the criminal justice system, and there are numerous examples of how the criminal justice system has become indigenized by offering what is commonly referred to as "culturally appropriate" or "culturally sensitive" programs and services. In fact, there is unlikely another offender population that has received as much attention and prompted such an effort to customize the criminal justice system in order to make it more responsive to the needs of the offender. Examples of attempts to improve the responsiveness of the criminal justice system include; Native Police forces, Native Court Workers, distinct Aboriginal Courts (or Gladue Courts), and even minimum security penitentiaries built on the foundation of Aboriginal culture. The hope is these programs will have the effect of reducing, and hopefully eliminating, systemic discrimination experienced by Aboriginal offenders. Given this, Culture Clash theory contributes to our understanding of the complexity of the problem of over-representation and points to the fact that solutions lie in efforts to understand the differences between cultures and develop a criminal justice system responsive to that knowledge.

Socio-Economic Theory

LaPrairie asserted the contemporary social, economic, and political conditions of Aboriginal peoples were the direct result of "economic underdevelopment that resulted from the process of colonization" (1998: 379). Low family incomes, high rates of unemployment, poor health care, inadequate levels of education, and crowded and substandard housing conditions characterized Aboriginal life in Canada (LaPrairie, 1995; Brown et al, 2005), and Stenning and Roberts (2001) asserted that socio-economic theory best explained why Aboriginal people continue to be over-represented in custody.

The Public Inquiry into the Administration of Justice and Aboriginal People stated that, while Aboriginal people committed a disproportionate number of crimes, the causes of Aboriginal criminal behaviour were rooted in a long history of discrimination and social inequality that impoverished Aboriginal people and that this was the direct result of efforts on the part of both the European colonists and the policies of successive Canadian governments (Aboriginal Justice Inquiry, 1991). The Aboriginal Justice Inquiry (AJI) (1991) reported that the poor were greatly over-represented in the criminal justice system, and Aboriginal people were vastly over-represented among the poor. LaPrairie (1992) indicated that Aboriginal offenders were generally very low on all socio-economic indicators and that this placed them disproportionately in the "have not" social category; a risk factor for the commission of crime.

The contemporary realities of Aboriginal communities are largely hidden to non-Aboriginal Canadians, and it is difficult for many Canadians to conceptualize what those social conditions are. While statistics do not always give a clear picture of the desperation of the situation, it is important to try to illustrate the point. Basic housing is often substandard, and the Public Inquiry into the Administration of Justice and Aboriginal People, commonly known as the Aboriginal Justice Inquiry (1991), noted that only 40% of Indian homes had central heating, and almost 20% of Indian homes did not have indoor plumbing. Additionally, Aboriginal people face severe over-crowding with the average Aboriginal household having twice as many people as non-Indian households. More recent reports suggest the situation has not improved. A report by Statistics Canada in 2008 revealed that 28% of Aboriginal homes were in need of repair compared to 7% of non-Aboriginal homes. Similarly, a report by the International Housing Coalition in 2006 reported that, according to the 2001 census, 11% of on-reserve housing were overcrowded, compared to 1% elsewhere in Canada.

The Aboriginal Justice Inquiry (1991) also reported that the rate of unemployment amongst Aboriginal people was four times the average for non-Aboriginal people, and, in some communities, it was estimated to be even two or three times higher. More recent studies have revealed that Aboriginal people face higher rates of unemployment, greater poverty, substandard healthcare and housing, and challenges of access to quality education (see Hartnagel, 2004; Corrado and Cohen, 2002). An extensive body of literature explores the realities of life on reserves and the migration of Aboriginal people to urban areas in search of opportunities and an escape from the economic and social struggles on reserves (see Brown et al., 2005; Hartnagel, 2004; LaPrairie and Diamond, 1992). Hanselmann's (2001) data showed that the poverty levels and health problems were higher, and education levels, employment rates, and salaries were lower than the non-Aboriginal urban population (cited in Brown et al., 2005). By 2006, the situation had improved marginally, but, according to the Statistics Canada Census data, Aboriginal people were still unemployed at a rate more than twice that of non-Aboriginal people (Perreault, 2009).

Townsend and Wernick asserted that the difficulties facing Aboriginal people were largely due to "intergenerational transmissions of poverty" and lack of access to educational opportunities (2008: 5). While age is one of the strongest factors in criminal behavior, according to Perreault (2009), education and employment rates appeared to be stronger explanations. According to the 2006 Census, Aboriginal people were twice as likely as non-Aboriginal people not to complete high school. Of those who remained in school, Corrado and Cohen found that incarcerated Aboriginal youth were "two academic years behind their age cohort" (2007, as cited in Corrado et al., 2008: 79). Perrault asserted that "young adults without a high school diploma or employment are more at risk of committing crimes that lead to being incarcerated" (2009: 13).

According to his findings, "the employment and education characteristics of young, Aboriginal adults explain about half of their over-representation in custody" (2009: 5).

In conjunction with Culture Clash theory, Socio-economic theory also contributes to understanding the complexity of the problem of over-representation and points to the fact that solutions lie not only within the criminal justice system, but in the realm of community development. Advocates of socio-economic theory argue that in order to address the problems of Aboriginal over-representation, efforts must be made to assist Aboriginal communities to recover from the effects of colonization and assimilation policies (Rudin, 2007). Programs that assist in the development of the social and economic structures of Aboriginal communities may lead to better solutions for Aboriginal peoples and to a reduction of the numbers of Aboriginal people in the criminal justice system. LaPrairie suggested the concern should not be focused on transforming the criminal justice system, but on the "potential for transforming communities by responding more realistically and effectively to community inequalities, needs, and conflicts" (1995: 537).

Colonization Theory

Colonialism refers to the building of colonies in one territory by people from another country. Colonialism also involves the declaration of unequal relationships between the colonists and the indigenous population of the land. The theory of Colonialism suggests that in its effort to colonize Canada and gain political control, the British Empire claimed sovereignty over Canada's Aboriginal people and imposed not only a new government, but a new social structure and economy. In order to accomplish this, the colonists and successive Canadian governments to deliberately and systematically eradicated Aboriginal culture. According to LaPrairie (1998), a review of Canadian history leaves no question that the eradication of Aboriginal culture by the

Canadian government was purposeful. Corrado et al. concurred that colonialism and assimilation policies were "explicitly designed to destroy Aboriginal values and traditions" (2008: 79).

Brennon (2006) asserted that Aboriginal people were a sovereign nation before contact with the Europeans. However, with the influx of immigrants to the colonies, the demand for the use of traditional Aboriginal land and resources by the colonial settlers increased (DIAND, 1997). In response to the pressure for land, the colonial government continued to strategize to gain economic and political dominance over Aboriginal people (Hart, 2002). Subsequently, the Canadian government implemented policies that systematically destroyed the economic systems of Aboriginal peoples by targeting their land base. As their land base was eroded, Aboriginal people were forced to reside on tracts of land incapable of supporting communities, and to further reinforce their oppression, the movement of Aboriginal people to and from these reserved lands was controlled by government agents and police (Hart, 2002). To eliminate any competition with non-Aboriginal settlers and farmers, Aboriginal people were also prohibited from selling anything they produced or manufactured on their land, and they eventually became dependent on welfare and make-work projects (cited in Sutherland, 2002).

According to Sinclair (1997), the government anticipated the resistance from Aboriginal people to the destruction of their economic system, so they legislated additional restrictions to Aboriginal people's civil liberties. For example, Aboriginal people were denied the right to vote and the right to free speech, and the government imposed legal sanctions on anyone who considered fighting back against these policies (Rudin, 2007). It also became illegal for Aboriginal people to sue the government without the government's permission, and it was illegal for non-Aboriginals to go to court on behalf of Aboriginal people (Sutherland, 2002). Aboriginal people were prohibited from gathering for traditional purposes. This prohibition not only served

to prevent the transmission of culture, it also prevented Aboriginal people from organizing themselves politically against the government (Hart, 2002). Finally, to ensure their co-operation, the government removed the traditional leadership system of Aboriginal peoples and imposed a European-based model of political governance and ushered in new community leaders selected by the government (Hart, 2002).

The Canadian government established a policy of forced assimilation (DIAND, 1996), and, while it is beyond the scope of this paper to detail all the ways in which Canadian governments went about achieving this objective, it is necessary to understand, at least at a cursory level, these policies were and remain responsible for the harms felt today by Aboriginal people. Corrado et al. suggested that the assimilation policies continue to have a "catastrophic impact" on Aboriginal people because those government policies were "explicitly designed to destroy Aboriginal values and traditions" (2008: 79).

The purpose of the *Indian Act* of 1867 was to enshrine the right of government to regulate the lives of Aboriginal people (Sutherland, 2002). Under the *Indian Act*, Aboriginal people became subject to laws that destroyed their economic structures and removed their political systems (Sutherland, 2002). In 1884, the Indian Act was first amended to ban healing ceremonies, and the Canadian government continued to pass repressive legislative amendments to the Indian Act up until 1933 (Waldram, 1997).

It was not until 1951 that repressive laws were successfully challenged and deleted (Hart, 2002). However, there are many who contend that deliberate attempts to assimilate Aboriginal people are still evident today see Cannon, 2006; Richardson and Nelson, 2007). Martin Cannon (2007) asserted that while the 1985 amendment to the *Indian Act* ended the discrimination against Aboriginal women, it simply prolonged the loss of status and legal

assimilation for another generation. Richardson and Nelson (2007) contend that until we improve the situation for Aboriginal children and address issues of substandard housing, poverty, and unequal access to justice and health care, the assimilation of Aboriginal people will continue.

While the various theories put forth in an attempt to explain Aboriginal over-representation complement one another and outline the many factors contributing to the ongoing problem of Aboriginal over-representation in the criminal justice system, within this body of literature, it is generally agreed that the most persuasive of the theories is that of colonialism and the purposeful destruction of Aboriginal culture (LaPrairie, 1992; Latimer and Foss, 2005; Roach and Rudin, 2000). The destruction of culture and policies of forced assimilation led to the marginalization of Aboriginal people and the serious level of social and mental health problems seen in contemporary Aboriginal communities (Aboriginal Justice Inquiry, 1991; Brown, 2005; Hartnagel, 2004; LaPrairie, 1992; Bonta, LaPrairie and Wallace-Capretta, 1997; 1998; Latimer and Foss, 2005; Roach and Rudin, 2000; Rudin, 2007). The theory of colonialism further suggests that the social, mental health, and addiction problems plaguing Aboriginal communities results in the disproportionate amount of criminal behavior seen amongst Aboriginal people and the high numbers of Aboriginal people in the prison system. The theory of Colonialism contributes to our understanding of the problem of over-representation and helps us to understand the unique needs of Aboriginal offenders and the role of Aboriginal culture in rehabilitation.

Colonialism and Racial Discrimination

By the time of Confederation in 1867, the Canadian government had altered its position on the nation-to-nation relationship with Aboriginal people and asserted its supreme authority and power over Aboriginal people declaring them to be subjects of the Sovereign and wards of

the federal government (Sutherland, 2002). These shifts in the attitudes of government towards Aboriginal people reflected the "attitudes of racial and cultural superiority" (DIAND, 1997: 1). Since that time, racial discrimination has been a central policy of Canadian government and Aboriginal peoples have experienced the most fixed and enduring racial discrimination of any group in Canada (Aboriginal Justice Inquiry, 1991).

To understand why colonial officials felt compelled to eradicate culture, Jansen (2005) explained how individuals are born into a specific culture and once socialized, their culture becomes the norm by which they assess themselves and the standard by which all other cultures are evaluated. Regrettably, this leads to a belief that one's culture is superior, and often leads the majority culture to devalue other cultures (Jansen, 2005). It also leads to attempts to assimilate the minority culture and force it to adopt the culture of the majority (Jansen, 2005). The colonizer's self-righteous stance was that their ways were the proper and the best ones to be held by all peoples of the world (Hart, 2007).

To explain how colonial officials marginalized Aboriginal people, a brief examination of the history of relationships between Aboriginal peoples, colonial officials, and successive Canadian governments is helpful. A cursory description of some of the key Canadian government policies and practices of forced assimilation also helps provide a deeper understanding of the complex personal and social problems that characterize many Aboriginal communities today and the complex needs of Aboriginal offenders.

Colonialism, Cultural Destruction, and Criminal Behavior

Much has been written about the repressive government policies that targeted Aboriginal culture. Hart (2002), for example, described how Aboriginal cultural and spiritual ceremonies were ridiculed and labeled as 'devil worshiping', and how gatherings and activities, such as

feasts and give-aways, were banned. Spiritual practices were actually criminalized (Rudin, 2007), and Sinclair (1990) reported "the statistical evidence [such that it is] for Stony Mountain Penitentiary in Manitoba at the turn of the century shows that most of the Aboriginal people who were incarcerated at that time were sentenced for simply practicing their traditional religions" (cited by Waldram, 1997: 8). According to Hart, the colonizers viewed the spiritual beliefs of Aboriginal people as "primitive and evil" (2002: 26), and, instead, the spirituality of Aboriginal people was replaced by the colonizers' religion. In *The Way of the Pipe*, Waldram (1997) explored how the attack on Aboriginal culture, and specifically the attack on spirituality, had negative consequence for traditional healing systems.

Residential Schools

The Canadian government waged war on Aboriginal culture, and while many government policies of forced assimilation contributed to the suppression of Aboriginal culture and the destruction of those systems, the residential school system warrants special attention because it was the ultimate weapon used in the war on culture. The war was not fought on a nation-to-nation basis. Instead, the strategy of the Canadian government was to target the most vulnerable Aboriginal people, namely children. Aboriginal children were traditionally educated through daily living, but this form of education was forcibly replaced by industrial and residential schools and, according to Rudin (2007), residential schools were a government policy plainly and clearly designed to accelerate the disappearance of Aboriginal culture.

What is perhaps not well-understood by most Canadians is how the effects of the residential school system still affect Aboriginal communities. Moreover, most Canadians also do not realize the full extent of the residential school system. Many believe residential schools are part of Canadian history and that it seems wrong that the Canadian government is still trying to

make amends for something that happened such a long time ago. However, the last residential school closed in the 1980s, and these schools did not only affect one generation of Aboriginal children; rather, these schools were in effect for over 150 years and five generations of Aboriginal people spent their entire childhood in these schools (Quinn, 2007). It was mandatory for Aboriginal parents to send their children to residential school, children as young as five years old, and parents faced imprisonment for failing to comply with this legislation. Further, because of problems with their administration, residential schools permitted the physical, sexual, mental, and emotional abuse of Aboriginal children (Rudin, 2007). According to Tait, the extent of sexual abuse in this school system can be considered nothing less than "institutional pedophilia" (2003: 68).

Intergenerational Trauma and Complex Post Traumatic Stress Disorder

According to Brown et al. (2005), a century and a half of systemic oppression and abuse within the residential school system started the intergenerational cycle of abuse and neglect that still haunts contemporary Aboriginal communities. Generation after generation, Aboriginal communities were flooded with people suffering from unhealed trauma, grief, and rage, and while some survivors turned to addictive behavior to self-medicate their emotional pain, others turned their pain into rage and subjected others to similar kinds of violence and abuse (Quinn, 2007). The effects of the psychological abuse went untreated and passed from one generation to the next resulting in an ongoing cycle of abuse, trauma, and addictive behavior (Quinn, 2007).

According to Waldram (1997), as a result of colonialism and assimilation policies, Aboriginal peoples have experienced generations of trauma, and the trauma has had a profound consequence, not only for individuals, but also for the collective behaviour of Aboriginal communities (Waldram, 1997). Survivors of residential school system abuse who became

parents were traumatized individuals often unable to care for their own children, and a damaged and shame-based self-image was passed on from one generation to the next. The outcome of this process resulted in intergenerational trauma (Quinn, 2007).

Corrado and Cohen (2003) reported that clinicians have begun to identify a group of problems and behaviours termed Residential School Syndrome, first identified by Brasfield in 2001. According to Brasfield (2001), the difference between PTSD and Residential School Syndrome is the cultural impact, deficient parenting skills, and a tendency to abuse alcohol associated with violent outbursts of anger (cited by Corrado and Cohen, 2003). A study in 2000 by the National Native Addictions Partnership Foundation Inc. reported that the cause of death due to alcohol in the Aboriginal population was twice the rate of the general population, and death, due to drug abuse, was three times higher (Aboriginal cited in Healing Foundation, 2007). According to a 2003 study by Health Canada, 73% of Aboriginal participants reported problems with alcohol and 59% reported drug abuse. The report showed that 1 in 5 Aboriginal youth had used solvents, 1 in 3 were under the age of 15, and over half of these youth had used solvents before the age of 11 (Quinn, 2007). A study by Latimer and Foss (2004) found that, of incarcerated youth, 1 in 6 were suspected or confirmed as having Fetal Alcohol Syndrome, and 8 out of 10 had a substance abuse problem.

Loss of Community Support Systems and Criminal Behaviour

Policies that destroyed Aboriginal culture also served to crush community social systems of support, and due to the breakdown of governance, community, and family systems, several generations of Aboriginal people have been deprived of the opportunity and the benefits of learning important values and life skills within healthy families. Aboriginal cultures were once purposeful, efficient social systems that included values and standards of behavior (RCAP,

1995). Government policies were implemented with the expressed purpose of oppressing Aboriginal culture, and this, in turn, resulted in the destruction of important social institutions of Aboriginal communities. Government policies of forced assimilation devastated the traditional economic and social systems of Aboriginal communities, and the loss of those traditional systems weakened the community's ability to protect, prevent, or deal with social problems (LaPrairie, 1992; Royal Commission on Aboriginal Peoples [RCAP], 1996).

The government policies of forced assimilation and the systemic criminal abuses that took place in residential schools for over five generations contributed to the generational transmission of Post Traumatic Stress Disorder and the current disproportionate representation of Aboriginal people in the criminal justice system (Chandler and Lalonde, 2008). Over the years, the problems associated with the loss of healthy family and community support systems has compounded. According to Hart (2002), culture serves as a protective factor, and the loss of culture in Aboriginal communities has allowed the acceleration of social problems in communities and an increase in the number of individuals coming into contact with the criminal justice system. According to LaPrairie (1992; 1998), in the absence of appropriate coping skills and resources, many Aboriginal people reacted in self-destructive ways associated with criminal behaviour. For Hart (2002), spousal and domestic violence has been rampant, children have been emotionally, physically, and sexually abused by family and community members. Waldram explained that these individuals hate themselves and they find it easy to extend that hate to others around them (1997). LaPrairie (1996) emphasized the attitudes and personality traits that favored criminal behavior were the same for Aboriginal and non-Aboriginal people; however, there was a greater concentration of these factors in Aboriginal communities. LaPrairie (1996) stated that these factors were conditioned by family history, poverty, school experience, and exposure to

violence, and two recent studies by Johnston (1994; 1997) on childhood living conditions of Aboriginal offenders supported LaPrairie's position (cited in Sioui and Thibault, 2001). The Aboriginal Justice Inquiry (1991) reported that the social problems and the crime that characterized many Aboriginal communities was the direct result of the historical abuses which took place in these institutions. The report also stated that the crime characterising Aboriginal communities was not a natural phenomenon, but the direct result of these historical government policies, practices, and programs.

A cursory examination of the extent of the problem of Aboriginal over-representation and the unique needs of Aboriginal offenders reveals a serious problem in the Canadian criminal justice system. Various theories have been espoused in an attempt to understand the problem, and explanations have ranged from the problem of racism and systemic discrimination in the criminal justice system to the marginalization and socio-economic problems faced by Aboriginal people. These theories complement one another and together explain the many factors that have contributed to the ongoing problem of over-representation. As the understanding of the causes of over-representation grew, this knowledge was reflected in policy and the government began to develop and implement programs that were meant to address racism, eliminate systemic discrimination, and incorporate culture into prisons to facilitate the rehabilitation of Aboriginal offenders. The next section explores some of those early initiatives and the contemporary policies that support culture-based rehabilitation.

Government Policy

As stated above, attitudes about the superiority of European values and beliefs have influenced government policy and practice (Aboriginal Justice Inquiry, 1991; DIAND, 1997).

However, in the late 1980s, several examples of extreme injustices being inflicted on Aboriginal people in the criminal justice system resulted in high-profile media coverage. As a result of pressure from both the Aboriginal and non-Aboriginal communities, the Canadian government launched several large-scale commissions of inquiry to examine the injustices apparent to the general public.

In 1982, after serving 11 years for a wrongful conviction of murder, Donald Marshall, an Aboriginal man, was released from custody. In 1986, a Royal Commission was struck to investigate the wrongful conviction, and the commission found evidence that racism played a role in Marshall's imprisonment (Latimer and Foss, 2005). In fact, the Marshall Inquiry identified a crisis in the criminal justice system and its treatment of racial minorities (Rymhs, 2006). Subsequent federal and provincial commissions of inquiry also concluded that Aboriginal people were the subject of racist and discriminatory practices (see RCAP, 1996; Aboriginal Justice Inquiry, 1991).

In addition to the findings of racism, the Marshall Inquiry recognized the problem of cultural misunderstandings, and it made a large number of recommendations to address the problem of systemic discrimination (Rymhs, 2006). Racism notwithstanding, Smandych et al. (1993) argued that the over-representation of Aboriginal peoples in the criminal justice system was due, in part, to systemic discrimination as a result of differences in culture, and Palys (1993) asserted that Aboriginal offenders were disadvantaged whenever they were placed in the Canadian criminal justice system as a result of their cultural differences.

In 1988, another inquiry was launched and, in 1991, the report of the Aboriginal Justice Inquiry of Manitoba was finally released. This inquiry was created in response to two specific incidents in late 1987 and early 1988; the investigation into the murder of a young Aboriginal

woman, Helen Betty Osborne, and the death of J.J. Harper, the Executive Director of the Island Lake Tribal Council who died following an encounter with a City of Winnipeg police officer.[2] Authored by Commissioners Hamilton and Sinclair, this report asserted that a criminal justice system that attempted to dispense justice on the premise that all Canadians shared a common value base was going to discriminate against Aboriginal people given that they held cultural values and traditions significantly different from those of non-Aboriginal people. The report indicated that while the consensus in Canada was that the values and beliefs of our Criminal Justice System were based on collective values and beliefs, it was critical to acknowledge that these European beliefs were imposed upon a culture that held very different beliefs. Following from this inquiry, there was a call for a separate, autonomous criminal justice system operated by and for Aboriginal people (McNamara, 1992). While many agreed that a separate system was appropriate, it was understood that the evolution to such a system was to be gradual and that the existing system would have to make accommodations in the short-term (Settler, 1995). Consequently, government policy has attempted to address the problem of systemic discrimination inherent in the Western system of justice and reduce conflict where possible. Some examples include the Aboriginal Justice Strategy, the Sentencing Reform Act, Alternative

[2] In November 1987, the trial of two men began for the 1971 murder of Helen Betty Osborne in The Pas, Manitoba. While the trial established that four men were present when the young Aboriginal woman was killed, only one person was convicted of any crime. Both the chief of The Pas Indian Band and the mayor of The Pas called for a judicial inquiry to examine a number of questions related to the murder, including why it had taken 16 years to bring the case to trial. The following year, on March 9, 1988, J.J. Harper, executive director of the Island Lake Tribal Council, died following an encounter with a City of Winnipeg police officer. The following day, the police department exonerated the officer involved. Others, particularly those in the province's Aboriginal community, believed that there were many questions that had been left unanswered by the police department's internal investigation. In this case as well, numerous individuals requested the creation of a judicial inquiry.

Justice programs and Circle Sentencing, the Aboriginal Pathways policy, and programs such as Tribal Police and Native Court Worker Program.

In 1991, the federal government of Canada also established of the Royal Commission on Aboriginal People (RCAP) which had a broader mandate to explore issues facing Aboriginal people, not just within the criminal justice system, but in every aspect of their lives. The RCAP inquiry lasted five years and resulted in a 4,000 page document that made hundreds of recommendations to improve the situation of Aboriginal people. With respect to the situation of the over-representation of Aboriginal people in the criminal justice system, the RCAP concluded:

> The Canadian criminal justice system has failed the Aboriginal peoples of Canada – First Nations, Inuit and Métis people, on-reserve and off-reserve, urban and rural – in all territorial and governmental jurisdictions. The principal reason for this crushing failure is the fundamentally different world views of Aboriginal and non-Aboriginal people with respect to such elemental issues as the substantive content of justice and the process of achieving justice (Royal Commission on Aboriginal Peoples, 1996: 309).

Gathering Strength was the federal government's formal response to the findings of the RCAP report (Brennan, 2006). In this policy statement, the government stated its intended goal to "renew relationships" with the Aboriginal people of Canada and set a new course in its policies for Aboriginal people (DIAND, 1996: 1). Following the RCAP report and the release of Canada's Aboriginal Action Plan, the political climate for policies, such as the Aboriginal Justice Strategy, that supported a new approach to Aboriginal justice was stronger, and the government began to use a variety of instruments to try to achieve its policy goal. At the same time, Aboriginal people had also become stronger in their efforts to lobby government for improvements to their quality of life and for equal and fair justice (Smandych, Lincoln, & Wilson, 1993).

Over the past three decades, the Canadian government has slowly begun to acknowledge the effects of its oppressive policies and to take corrective measures against racism and systemic discrimination in the criminal justice system. From Culture Clash theory came the recognition that the concepts of justice between Aboriginal people and Western cultures were fundamentally different and in conflict with each other, and government policy focused on addressing the problem of systemic discrimination inherent in the Western system of justice. The government committed to working with Aboriginal people to implement community-based, culturally-relevant programs and to develop other alternative justice programs. Government strategy involved Aboriginal people in the administration of justice to improve the process by which Aboriginal people were dealt with in the criminal justice system (DIAND, 1997). In order to achieve its policy goal, a new program was developed and delivered through the Department of Justice - the Aboriginal Justice Strategy. Through the Aboriginal Justice Strategy, traditional justice measures for Aboriginal peoples were introduced including community-based programs that ranged from early intervention to diversion programs to alternatives to custody programs. These approaches were largely based on the traditional cultural belief that people committed crimes when they became alienated from the community and the principle of restoring these people to their community by instilling a greater sense of responsibility towards their family, peers, and community (Achtenberg, 2000).

Having acknowledged evidence of systemic discrimination, the Canadian government also tried to address this problem by making changes within the criminal justice system, and there are numerous examples of how the criminal justice system has become indigenized by offering what is commonly referred to as “culturally appropriate” or “culturally sensitive” programs and services. For example, one step taken to accommodate Aboriginal people was to

make the criminal justice system easier to navigate. Another approach was the development and delivery, through the Department of Justice, of the Aboriginal Court Worker program. This program was coupled with a policy to employ more Aboriginal practitioners in all sectors of the criminal justice system from Aboriginal police officers to Aboriginal judges. The strategy was to involve Aboriginal people in the administration of justice to improve the process by which Aboriginal people were dealt with in the criminal justice system.

As the understanding of the causes of over-representation continued to improve, efforts to address the problem gradually shifted to sentencing practices (Stenning and Roberts, 2001). Simultaneously, the strong Aboriginal political movement towards self-government also impacted the criminal justice system through the demand for more effective alternatives to incarceration (LaPrairie, 1998). A major policy initiative of government to target Aboriginal over-representation was Bill C41 - The Sentencing Reform Act which amended the Criminal Code. According to Roach and Rudin (2000), the general rule of the amendment of Sec. 718.2(e) is to use restraint in imprisonment for all offenders and to explore the opportunity of restorative justice in all cases, and to make an additional effort to find alternatives when sentencing Aboriginal offenders. From an understanding of the causes of over-representation based on socio-economic theory and the theory of Colonialization, the Court required that it be provided with more information about offenders, their families, communities, and background factors that contributed to the special circumstances of every Aboriginal offender in the hopes that information would come forward about the availability of community-based sentencing options and alternatives to imprisonment.

In 1995, the Correctional Service of Canada implemented the "Aboriginal Pathways Strategy", a policy that supported the development of a continuum of services for Aboriginal

offenders from special institutions to community-based healing programs that would serve to force down incarceration rates (Correctional Services Canada, 1996). This approach was described as being cultural and spiritual in nature, and as having emphasis on the involvement of Aboriginal communities and the renewal of culture and identity as primary importance (LaPrairie, 1996). In 1997, the Correctional Service of Canada developed a formal national strategy for Aboriginal corrections, and, in 1999, a formal policy to enhance the role of Aboriginal communities was developed (Aboriginal Initiatives Directorate, Correctional Services Canada, 2006). By 2005, the Correctional Service of Canada developed a Continuum of Care model that acknowledged the respect for culture-based programs that began on admission to prison and continued through to community re-entry (Aboriginal Initiatives Directorate. Correctional Services Canada, 2006).

Summary

Special legislative provisions have been implemented for Aboriginal people to assume greater control over the provision of some correctional services.[3] When the *Corrections and Conditional Release Act (CCRA) 1992* came into effect, it changed the relationship between Aboriginal people and the Correctional Service of Canada by reforming the criminal justice system and providing for the establishment of agreements with Aboriginal communities to provide services to Aboriginal offenders. In partnership with Aboriginal communities, it was

[3] In a related manner, the government has recognized the need to assist in the healing of Aboriginal people who suffered as a result of government and church run residential schools. On January 7 1998, then Minister of Indian Affairs and Northern Development, the Honorable Jane Stewart, issued a 'Statement of Reconciliation' and unveiled *Gathering Strength-Canada's Aboriginal Action Plan*. The federal government announced a one-time grant of $350 million for community-based healing of the physical and sexual abuses that occurred in residential schools. On March 31 1998, the Aboriginal Healing Foundation was created with a 10 year mandate to establish, monitor, and evaluate culture-based projects funded by the Foundation.

expected that these programs would be suited to the needs of Aboriginal offenders and recognize Aboriginal culture as a form of healing (Aboriginal Initiatives Directorate, Correctional Services Canada, 2006). Sections 80 and 81 of the CCRA compelled the Correctional Service of Canada to provide programs that addressed the unique needs of Aboriginal offenders, and it allowed the Correctional Service to enter into agreements with Aboriginal communities to provide these services (Chartier and Rankin, 2006).

The commissions of inquiry sanctioned at both federal and provincial government levels to explore the problem of over-representation in the criminal justice system confirmed what was generally undisputed among Aboriginal and non-Aboriginal academics, namely that the cause of over-representation of Aboriginal people in the criminal justice system was directly related to the colonization, assimilation, and continued marginalization of Aboriginal people (see Aboriginal Justice Inquiry, 1999; Brown, Higgitt, Wingert, & Miller, 2005; LaPrairie, 1992; Latimer and Foss, 2005; Roach and Rudin, 2000). In effect, these commissions signalled a shift in government policy towards redressing the harm done by previous policies of assimilation, and the policy changes that followed the inquiries were aimed at reducing the marginalization of Aboriginal people, and restructuring the criminal justice system to be less discriminating and more responsive to the needs of Aboriginal offenders. However, while the policy and program initiatives implemented by government to make the criminal justice system sensitive to the cultural differences between Aboriginal and non-Aboriginal peoples were well-intentioned attempts to guard against systemic discrimination and lessen alienation, these attempts to indigenize the criminal justice system have not gone far enough (Hughes and Mossman, 2001).

It may be that the weakness of these initiatives to address over-representation to any real extent may lie in the failure to distinguish between culture as an “add-on” to a European value-

based justice system model and Aboriginal culture as rehabilitation. European contact brought severe disruption to the cultural practices of Aboriginal people and undermined their physical, emotional, spiritual, and mental health (Mussell, 2005). The effects of the initial assault on culture have continued to negatively affect successive generations and resulted in over-representation in the Canadian prison system. Now, just as Aboriginal people have called for a Canadian justice system that integrates Aboriginal views of justice and reconciliation, Aboriginal people are calling for the use of culture as a method of healing those Aboriginal men and women who fill Canada's prisons. Just as Aboriginal people have called for the recognition of their customary 'systems' of restorative justice, they are calling for respect and acceptance of their culture as a means of rehabilitation for Aboriginal offenders living within the walls of Canada's prisons (Quinn, 2007).

In response, the more recent emphasis on policy and programs that support culture-based rehabilitation signals not only the growing understanding of government with respect to the cultural differences between Aboriginal and non-Aboriginal people, but the desire to embrace culture and traditional teachings as the catalyst for rehabilitation. While it is clear that there are no simple policies that will reduce the disproportionate number of Aboriginal offenders in the prison system, and while it is clear that the problem cannot be resolved within the criminal justice system alone, there is encouraging research indicating the existence of policies that involve the role of culture in the rehabilitation of offenders to reduce Aboriginal over-representation.

Historically, Canadian government policy was aimed at the purposeful destruction of Aboriginal identities, Aboriginal culture, and the culture-based social systems and value systems. Contemporary government policy and initiatives are now aimed at improving the life situations

of Aboriginal people and the strengthening and renewal of Aboriginal culture and identity. Culture as healing has been introduced in the mental health and addictions field, and culture-based rehabilitation programs are beginning to take a foothold in Canadian correctional facilities. The Correctional Service of Canada has now developed policy that embodies the belief that culture, traditional teachings, and ceremony are core aspects of Aboriginal identity and critical to the healing and rehabilitation of Aboriginal offenders (Chartier and Rankin, 2006). Over the past decade, the Correctional Service of Canada has turned its attention to the development and delivery of culture-based rehabilitation programs for Aboriginal men and women in the prison system with the underlying premise that the criminal attitudes and behaviors of these men and women were deeply rooted in the history of colonialism's war on Aboriginal cultural identity, and the attention to rebuilding a strong cultural identity is central to rehabilitation. It is important to understanding how this policy is being translated into practice. As such, the next chapter of this paper explores Aboriginal culture and the core values that support the strengthening of an identity that espouses those values and one that may facilitate the rehabilitation of offenders.

CHAPTER TWO – CULTURE AND TRADITIONAL HEALING SYSTEMS

Before examining how traditional healing systems can facilitate rehabilitation, it is necessary to describe the general nature of Aboriginal culture and the structure of traditional healing systems. "To be able to practice our own cultural ways and to live and express ourselves within our own worldview is important to our sense of self-worth and well-being; it is a vital part of our healing journey" (Stó:lō Elder, Amy Victor, cited in Palys and Victor, 2005: 2).

When an effort is made to understand the role of Aboriginal culture in rehabilitation, it is critical to understand what is meant by the term culture, the role of culture in the rehabilitation of offenders, and what is meant by healing in an Aboriginal context. The literature on culture-based healing programs in the criminal justice system is sparse and vague with respect to how Aboriginal culture supports rehabilitation, but the literature in the fields of social work, mental health, and addictions describing those values is available. The following section provides an introduction to these values and the traditional teachings embedded in Aboriginal culture that support rehabilitation.

While ethnicity is the condition of belonging to, or being a member of, a particular group based on racial, religious, national, and ancestral background, culture refers to the shared values that define a particular group. DeLeur et al. (1971) defined culture as the "specific system of norms, beliefs, practices, techniques, and objects that the people of a society have inherited from their forbearers, have invented, or have adopted from other sources" (cited by Jansen, 2005: 22). Every culture has developed philosophies, religions, and traditions. Culture becomes the expression of the ideas, values, and norms of a group (Jansen, 2005). According to Santroc

(1987), culture refers to the behaviors, values, and beliefs that are learned and shared by a group of people and passed from one generation to the next.

Despite the attempted destruction of culture and the loss of important social systems amongst Canada's Aboriginal people, Aboriginal people have been able to preserve much of their culture and efforts to renew and revive culture continue. However, with respect to Canada's Aboriginal peoples, one cannot assume homogeneity. Instead, all Aboriginal cultures must be appreciated for their distinctiveness. In fact, the more one tries to define what a particular culture consists of, the more apparent the differences between subcultures becomes (Jansen, 2005). Anthropologists group Aboriginal people according to their culture areas, and, in Canada, six culture areas have been identified. Within these culture areas, Aboriginal people are organized into different Aboriginal nations (McMillan, 1990).

Aboriginal Language

Although there are some similar attributes between the traditions of various subcultures, when considering Aboriginal people in Canada according to their diverse languages, McMillan (1990) reported that there were more than 50 distinct groupings of languages in Canada representing 11 distinct language families and, in most cases, these distinct languages represented distinct cultures. Given these numbers, there are great differences that exist among the many Aboriginal groups in Canada, and the diversity and richness of Aboriginal culture is abundant.

Language is more than a collection of words – it expresses spiritual, cultural, and social identity (Ranford, 1998). According to Kelly (1991), language defines a culture and influences how we understand and interpret the world and shapes what is commonly referred to as 'worldview' (Kelly, 1991). In fact, Johnston (1990) argued that people could only fully

understand a particular culture if they understood the language associated with it. According to Kelly (1991), it is through language that culture and cultural identity is passed to successive generations.

Traditional Aboriginal cultures were oral cultures and language was essential in conveying cultural teaching (Mussell, 2005). A community's cultural and historical background was preserved and passed from one generation to the next in spoken stories and song, rather than in written form. Elders who followed the traditional ways held the deepest understanding of Aboriginal history and culture, and were relied upon to share their wisdom and set the direction for the community (Hart, 2002). Regrettably, many Aboriginal cultures are endangered because there are fewer and fewer older language speakers left, and the languages are threatened with extinction (Johnston, 1990; Kelly, 1991). Once a traditional language is lost, the transmission of the culture associated with that language becomes more difficult (Ranford, 1998). Additionally, Mussell (2005) argued that the loss of language and culture robbed many Aboriginal people of their identity, confidence, self-worth, and their sense of connection to community and kin.

Fortunately, many Aboriginal communities are concerned with the retention and revival of language and, recognizing that there are fewer fluent speakers left, have developed language renewal programs. There is a strong link between language and cultural identity, and these language renewal programs also contribute to the renewal of community spirit and community revitalization (Ranford, 1998). Baikie (1997) asserted that the teaching of Aboriginal language develops and sustains an appreciation for Aboriginal heritage, and promotes a positive and resilient self-image.

Aboriginal Worldview

Despite the differences amongst Aboriginal cultural groups, the most prominent assertion in the literature was the acknowledgement and attention to the fact that traditional Aboriginal people share a view of the world that is fundamentally different from non-Aboriginal people. Just as it is impossible to have a complete understanding of a culture without an understanding of the language of that culture, it is impossible to present a complete explanation of what is meant by the Aboriginal worldview given the great diversity of subcultures within the greater Aboriginal nation. However, it is important to begin with the understanding that it is qualitatively different, and sometimes incongruent, with the euro-worldview (Trimble, 1991). According to Ibrahim (1984), one's worldview affects belief systems, decision making, and assumptions (cited in McCormick, 2009). Seeing the world from an Aboriginal lens means interpreting the world with certain unique values and beliefs that are different and distinct from those held by Western society. Of course, worldviews vary amongst Aboriginal people depending on what tribe they are from, their level of acculturation, and the personal characteristics of the person (LaFrombois, Trimble, & Mohatt, 1990 cited in McCormick, 2009). However, there are also commonalities amongst Aboriginal people with respect to worldview. Cajete (1999) described some commonly held values central to Aboriginal culture and worldview as: respecting individual differences and mutualism expressed through co-operation; quietness and a nonverbal orientation; patience; and a tendency towards caution (Cited in Hart, 2002). More specifically, the core elements of an Aboriginal worldview considered most relevant to healing include wholeness, balance, connectedness, and spirituality (McCormick, 2009). Ranford (1998) suggested that there were seven basic traditional values at the heart of all traditional Aboriginal cultures; wisdom, love, respect, bravery, honesty, humility, and truth.

These seven values serve as a guideline for interpersonal relationships and encourage appropriate behavior. Among the Ojibwa, these traditional values are known as the "Seven Gifts of the Seven Grandfathers" (Benton-Banai, 1988: 64, cited in Ranford, 1998).

Hart (2002) contended that if Canada was to offer Aboriginal offenders traditional methods of healing, the methods used should be based on common practices and the core values of the Aboriginal worldview. The importance of understanding an Aboriginal worldview in conducting research and in the development of policy has been stressed by Aboriginal academics (see George, 2002; Morin, 2002). However, it is important to keep in mind that while the attempt below to describe an Aboriginal worldview seems linear in fashion, linking ideas one after another, an Aboriginal worldview is anything but linear. From an Aboriginal perspective, all things are connected, cyclical, and come back on themselves.

Holism

An Aboriginal woldview is a holistic one that sees all parts of a person and all forms of life in the universe as being interrelated (Mussell, 2005). Many Aboriginal cultures believe that there are four dimensions of the self (e.g., mental, physical, emotional, and spiritual). These dimensions are commonly represented in the teachings of the medicine wheel. The symbol of the medicine wheel (i.e. a circle divided in four equal quarters) helps to illustrate the concept of a holistic worldview and the idea that the four aspects of the person have equal value and are connected to one another (Ranford, 1998).

The symbol of the medicine wheel has also been used to describe the important characteristics of healing and wellness from an Aboriginal worldview. In order to heal on an emotional level, Aboriginal offenders must be taught to validate their feelings, internally experience them, and express them (Hart, 2002). In order to heal physically, Aboriginal

offenders need to learn to accept and take pride in their appearance and image, and they must learn to engage in healthy eating and activities. They must also protect themselves from physical harm (Hart, 2002). In addition to traditional values, the teaching of traditional roles of Aboriginal men and women are believed to restore pride and diginity in offenders (CSC, 2009).

Traditional Aboriginal healing treats the mind, body, heart, and spirit; however, the concept of holism also suggests that the individual is connected to all things in the universe. Accordingly, to achieve wellness, the individual must also work to bring themselves into balance with everything around them - with their community, with nature, and with the universe and creator (McCormick, 2009).

A helper or therapist must assist individuals to analyse their whole system of beliefs, rather than simply the individual components of the self, and, according to Wilson (2004), because Aboriginal people envision their identities and wellness in holistic terms, it is important to move beyond scientific approaches to health and medicine and integrate holistic approaches to health.

Connectedness

An Aboriginal approach to healing hinges on the concept of connectedness, and Hart (2002) described the Aboriginal view of the world as being based on relationships (or connections) between people, with nature, and with the universe as a whole. These concepts are also described in other related terms, such as balance and belonging (Brendtro, Brokenleg, & Van Bockern, 2002; Clarkson et al., 1992; Mussell, 2005). The concept of connectedness places importance on the environment and stresses the need for relationships between all people and things in the world to be in balance and productive (see Mussell, 2005; Ross, 1996). Hart (2002) also described the sacredness of children as being the center of the universe, the belief in

communal parenting, and the responsibility to future generations as intrinsic Aboriginal values. Others have described the core values held within traditional Aboriginal culture that are important to wellness and related to the concept of connectedness to include sharing, respect, nature, and ceremony (Hart, 2002; McCormick, 2009).

Connectedness is another way of describing the meaning of wholeness; the sense of connection between not only the parts of the individual, but also the sense of connection the individuals feel to the world around them (McCormick, 2009). According to Mezzich et al. (2009), an individual's sense of belonging and meaning of life were anchored and framed by familial ancestry and, according to Brendtro et al. (1992), family and community were also important influences to the development of self-esteem in that they provided children encouragement, praise, and an environment in which they learned how to be in healthy relationships. Traditionally, Aboriginal approaches to healing involved an acknowledgement of the importance of restoring the individual's connections to the family and community, and this was exemplified in the restorative justice programs that involve whole communities (McCormick, 2009).

Balance

Health is concerned with maintaining a balance in life and observing the traditional cultural values listed above, and a healthy lifestyle is one that adheres to moral and societal norms (Ranford, 1998). When an individual is out of balance, each part of the person must be re-addressed in relation to the other (Hart, 2002). Traditional healing aims to restore balance between all parts of the person, and ceremony and the power of faith are equally important ways of healing (Aboriginal Women and Traditional Healing, an Issue Paper, 2007). For those working from an Aboriginal perspective, the importance of the counselor addressing the wellness

of the individual's mental, physical, emotional, and spiritual health are stressed throughout the literature (McCormick, 2009). According to Hart (2002), it was important not only for the counselor to approach the wellness of the individual with attention to bringing all four dimensions of the self in to balance, but it was also important for counselors to be balanced and centered themselves.

As stated above, within the concept of connectedness is the importance of relationships. The report by the Health and Healing Research (2008) asserted that the concept of healing was difficult to articulate and research was vague on the concept, but the report did find that, amongst culture-based programs, there was agreement that healing was most often thought of, not in terms of healing a medical problem or a mental health problem, but healing damaged social relationships and born of a desire by the individual to be accepted back in to relationships with friends, family, and community (cited in Waldram, 2008). Helping from an Aboriginal worldview places importance on the value of belonging and the importance of relationships between the individual, family, community, and the universe (Hart, 2002). Buller and Louttit (2003) explained that participants were helped to understand that they must take personal responsibility in understanding that their criminal acts were actually abuses of trust between them and their family and community. Research by Thibault (2001) suggested that participation in a rehabilitation program that focused on social relationships, community needs, and emotional needs reduced recidivism, and culture-based programs shared these treatment goals. According to Brendtro and his colleagues (2002), being in a relationship, having a sense of belonging, and being loved were important to a person's emotional health. Teaching the value of sharing gives a person a natural way to develop relationships, and the concept of sharing is tied to understanding

that every person is equal and worthy of respect. In teaching this concept, values, such as greed, envy, and arrogance, are challenged (Hart, 2002; McCormick, 2009).

Community

From this understanding of the value of belonging and relationships, the traditional Aboriginal value of community is more easily understood. While Western society tends to be individualistic and emphasises personal achievement, Aboriginal societies have traditionally placed the value on the rights of the community ahead of the rights of the individual. Aboriginal offenders, as part of their growing awareness of their Aboriginal culture through the teachings they receive in culture-based rehabilitation programs, are helped to realize that the crimes they committed and their own incarceration only served to diminish the strength of all Aboriginal people (Buller and Louttit, 2003). They are taught that they must not only turn their own lives back to the good, but that they must help to prevent the next generation from turning away from good. From this perspective, healing does not only aim to improve the individual's identity, but the collective identity of Aboriginal people. In other words, the collective is healed through the healing of each individual.

According to research, belonging to a community is one of the most significant aspects of identity for some Aboriginal people (Brendtro, Brokenleg, & Van Bockern, 2002). Rudin, in an earlier work (1997), argued that it was the Aboriginal person without connection to community that most needed assistance in making supportive connections to their culture and an Aboriginal community (Roach and Rudin, 2000). From an Aboriginal perspective, while healing is the responsibility of the individual, healing also involves family and community (Hart, 2002), and when individuals work to heal, they help rebuild families and communities (CSC WOPI policy).

Hart (2002) explained the idea of community as it related to the healing of the individual. In this process, the mental development of Aboriginal offenders required them to develop an awareness of their lives in relation to colonial oppression and the victimization of Aboriginal people as a nation-community; they must learn about their personal history and their people's history and acknowledge the oppression experience as real. Once individuals have restored their connections and found balance, the result was growth and healing.

Also previously stated, Aboriginal communities place a very high value on the rights of the community above the rights of the individual. Given this, having an appreciation for an Aboriginal worldview means understanding that the well-being of the community supersedes the rights of the individual. Kirmayer et al. (2000) explained that many Aboriginal cultures were socio-centric in that individuals were defined (and defined themselves) in relation to the well-being of family and community. At the same time, the individual was encouraged to be independent, and the importance of non-interference in relationships was stressed (Ross, 1996).

Ceremony and Traditions

Ceremony is a significant part of Aboriginal culture, and the literature on culture-based rehabilitation programs for Aboriginal offenders suggested that cultural symbols and ceremonies were vital to the process of healing and played a role in reintegration (Hodgston and Heckbert, 1994; Johnston, 1997; Waldram, 1997). While there is no emperical research on the efficacy of traditonal healing ceremonies, there is much anecdotal evidence in the literature suggesting their effectiveness (McCormick, 1996; 1997; Parish, 2008; Turner, 2002; Wyrostok and Paulson, 2000) in that they reinforce adherence to cultural values and beliefs that promote and support wellness (Poonwassie and Charter, 2001; Ross, 1996). According to others, traditions and

ceremony may also facilitate reintegration (Hodgson and Heckbert, 1994; Johnston, 1997; Waldram, 1997).

According to Lane et al. (2002), ceremonies and protocols are designed for personal development and are a personal expression of an experience. However, healing traditions, such as sweat lodges, healing circles, and pipe ceremonies, draw people together (Ranford, 1998), and, in this way, they can be a way of communication with a group (McCormick, 2009). When working with individuals, healers explore issues of connection and disconnection, and ceremonies may serve as mechanisms by which individuals can become re-connected to a group (McCormick, 2009). According to Ranford (1998), ceremonial activities, such as sweats, dances, and pipe ceremonies, allow individuals to become active members in their culture and help to ground them to their histories.

Chansonneuve (2007) reported that cultural practices worked to restore healthy and respectful relationships with others, with nature, and with the Creator. The significance of a spiritual ceremony, such as the use of the talking stick, is that it teaches participants to practice and value speaking and listening. The lighting of the quilliq is meant to teach participants to remember and honor their ancestors, while other cultural practices, such as carrying smooth stones, sage, cedar, and burning sweet grass, are used to teach participants to improve their mental focus (Chansonneuve, 2007). An Aboriginal worldview also respects nature, and healing is promoted by teaching participants to live on the land and respect and maintain their environments, In effect, participating in ceremonies can help them feel connected to the land (CSC WOPI policy).

Spirituality

Aboriginal culture is also characterized as being a deeply spiritual culture. In fact, with respect to Aboriginal culture, many believe that it is difficult to separate out spirituality (Couture, 1992; Hodgson and Heckber, 1994; Howell, 2003; Irwin, 1994; Waldram, 1997). Spiritual development is a process by which an individual attempts to mature by following culturally approved ethics in order to be in harmony with others (Howell, 2003). Traditional Aboriginal ways of life are described as a spiritual philosophy incorporating the conscious and subconscious, and an intimate connection with all things (Hart, 2002).[4] For Aboriginal people, spirituality is a way of learning, a source of personal strength, and a way of finding direction and meaning in life (Ermine, 1995; Ferrara, 1999; as cited in Hart, 2002).

While the meanings of physical, mental, and emotional healing are easily understood, the concept of spiritual healing is given more attention here because it is a concept and an aspect of healing not typical of Western approaches. According to Hammerschlag (1998), from an Aboriginal worldview, the healing of the spirit was as important as the healing of the mind and body (cited by McCormick, 2009). The separation of state and church has made it difficult to employ spirituality in Western-based treatment programs, while long-established Aboriginal healing relies on it (Zion, 1997). In fact, Aboriginal-specific programs emphasize spirituality, and this emphasis is a significant difference between Aboriginal and Western justice systems (Zion, 1997).

---

[4] On a spiritual level, McCormick (2009) explained that there was an important connection between humans and nature, and helping offenders reconnect with nature was beneficial to the healing process. Going outside to participate in land-based activities, for example, helped the client feel stronger, less lonely, and a part of something bigger than themselves (McCormick, 2009).

Chansonneuve (2007) explained that the role of spirituality in the healing process was to assist individuals to discover their sacred sense of self and understand that they were worthy of respect. It teaches them to honor themselves and helps to restore their sense of connection and belonging (Chansonneuve, 2007). McCormick (2009) explained that the healing of the spirit involved helping offenders to become aware of their selves and worked to help them strengthen and cleanse their spirit. According to Chansonneuve (2007), spiritual teachings and practices helped to counter the shame-based identity forced upon Aboriginal children in residential schools Culture-based programs, such as the Okimaw Ohci Healing Lodge, begin each day with spiritual ceremony and prayer (Amellal, 2006). According to Jean Oakes, an Elder at the Okimaw Ohci Healing Lodge, these teachings were the starting point of the healing journey (Amellal, 2006).

Waldram (1997) described how Aboriginal spirituality was inherently therapeutic and achieved what anthropologists referred to as symbolic healing. According to Waldram (2008), spirituality and ceremony are integral components of culture-based rehabilitation programs, and he asserted that the process of cultural and spiritual education was crucial for the establishment of a foundation needed for Aboriginal spirituality to be effective as a form of therapy. [5]

According to Waldram (1997), Aboriginal offenders have demanded for a long time to practice their spirituality while incarcerated as a way of healing themselves. In his book, *The Way of the Pipe*, Waldram reviewed the events of the hunger strike at Kent Institution in British Columbia in the 1980s which was initiated to protest the repression of religious freedom of

[5] Waldram (1997) discussed the significance of ceremonial dance to Aboriginal spirituality and the irony that Aboriginal people were once jailed for dancing, and now, years later, prison and corrections officials were trying to understand how encouraging Aboriginal people to revive their spirituality, through dance or other means, could contribute to their rehabilitation.

Aboriginal inmates. Waldram (1997) contended that it took many years for Aboriginal spirituality to be accepted as a legitimate form of religion, but he suggested corrections officials were still unable to recognize its inherent therapeutic value. In fact, Waldram (1997) argued that the view of Aboriginal spirituality programs as religion actually served to obscure the therapeutic value of spirituality. He found, after a review of corrections files, that many officials felt that the involvement in spiritual programs interfered with other rehabilitative programs the offender was expected to participate in.

By their own account, Aboriginal offenders place value on tradition and culture and consider themselves to be a highly spiritual people (Johnston, 1997). Johnston (1997) conducted a study for the Correctional Service of Canada, and of 546 Aboriginal offenders, 21% of them considered themselves spiritual, while another 49% considered themselves very spiritual Spiritual programs and activities were considered preferred activities by 52% of the participants. Similarly, Hodgson and Heckber (1994) interviewed 20 Aboriginal offenders in the community who had committed a serious crime and served at least five years in custody. At the time of the study, the participants had been crime-free for at least two years. Of the 20 participants, 19 indicated that spirituality had a significant impact on getting and staying out of trouble, and, according to Turkington (2001), Aboriginal spirituality was a major factor in successful reintegration (cited in Trevethan, 2003).

Traditional Healing Systems

There is a diversity of healing practices found around the world. Although there are universal elements of healing found in all systems, comparative studies have also revealed cultural variations (Kiramayer, 2004). Traditional healing practices can serve to compliment biomedical theory and practice, and traditional forms of healing are attractive to many

individuals because of the limitations of biomedicine. Studies have also shown that 20% to 40% of Canadians seek complementary, alternative, and traditional medicine (Kiramayer, 2004). In comparison to the biomedical model of healing that focuses on the physiological process of healing, traditional healing systems often involve symbolic aspects of healing that also have psychological and social effects. Kiramayer (2004) suggested that the work in cognitive science provided a way to understand the effectiveness of the symbolic aspects of healing rituals.

Participation in traditional healing practices contributes to individual and collective identity (Kiramayer, 2004). Aboriginal culture-based healing practices cannot be viewed as disconnected from Aboriginal philosophy. Instead, they are intrinsically linked to larger belief systems and ways of viewing and interpreting the world, and involve believing and exercising the values and traditions that characterize Aboriginal culture (Ranford, 1998). The attractiveness of culture-based healing for offenders rests in the belief that participation in specific traditional healing practices offers an opportunity to find a new identity – an identity in which they can have faith, comfort, and security (Ranford, 1998). Culture-based programs provide another option whereby offenders can use traditional knowledge, beliefs, and ceremonies to support them in their goals to change (Ranford, 1998).

Summary

As has been discussed, the holistic philosophy and the core values that characterize traditional Aboriginal culture promote healing. These philosophies and values are embedded in traditional healing systems that include practices of spirituality, ceremonies and rituals, and the use of traditional medicines. Traditional healing systems can offer offenders a new personal and cultural identity that embraces beliefs, attitudes, and behaviors that support their rehabilitation and efforts to become healthier members of families, communities, and societies. In so doing,

culture-based healing programs for individuals can facilitate not only the healing of the individual offender, but the healing of a nation. Culture-based rehabilitation programs for Aboriginal offenders are based on these specific core elements, and policies that support the development of culture-based programs must also be based on these principles.

Before examining further the role of culture in rehabilitation and culture-based programs offered in the Canadian correctional system, it is useful to explore the concepts of identity and cultural identity development and why it is important for Aboriginal offenders to be able to access culture-based rehabilitation programs. The next chapter discusses the development of a healthy personal identity, the importance of cultural identity, and the damaged identities of many Aboriginal offenders.

CHAPTER THREE – IDENTITY AND CULTURAL IDENTITY

Aboriginality

In order to discuss the importance of the development of a healthy self-identity and the centrality of cultural identity to the rehabilitation of Aboriginal offenders, it is appropriate to begin with a discussion of the concept of Aboriginality. However, as Waldram (2009) noted, there are challenges with defining the concept of Aboriginality due to the array of terms used for Aboriginal people in Canada and the confusion as to the meanings and appropriate use of the different terms. The confusion took place because government controlled the definition of Aboriginal identities so that Aboriginal people could be managed (Ranford, 1998). Over the years, Aboriginal people have been denied the right to self-identify and they have been subjected to an evolution of imposed identities (Francis, 1992). For example, the term *Indian* is a misnomer that was wrongly given to Aboriginal people by Columbus when he arrived in Canada in 1492 and mistakenly believed he had landed in India (Fideres, 1993). Nonetheless, the label persisted and, in 1876, the term *Indian* took on a legal definition when the *Indian Act* categorized Aboriginal people into *Status, registered Indians, non-status Indians, and Treaty Indians* (Frideres, 1993). According to Fideres (1993), while the terms *Indian* and *Indian Band* continue to be used in the *Indian Act*, the term *First Nation* gradually came to replace *Indian*. The terms *Native* and *Native people* came into formal use for a time in the 1970s and 1980s, but, according to Fideres (1993), these terms are now used conversationally and are rarely used in official discourse.

The *Canadian Constitution Act* (1982) referred to the descendants of the original inhabitants of Canada as *Aboriginal people* (Fideres, 1993), and it is the term used consistently throughout this paper. According to the Constitution, the Aboriginal people of Canada include

Indians, *Inuit*, and *Métis* (Fideres, 1993; Sigger, 2003). *Métis* originally referred to people who were the product of intermarriage between French fur traders and the Cree and Ojibwa people. Their descendants formed a distinct cultural group (Fideres, 1993). However, according to Sigger (2003), the term Métis, in the broader sense, refers to all Aboriginal people who are of mixed European and Aboriginal ancestry and who were formerly termed *half-breed*. *Inuit* refers to Aboriginal people of the Arctic regions who share a distinct culture and languages (Fideres, 1993; Sigger, 2003). According to Fideres (1993), since a Supreme Court decision in 1939, Inuit people have been legally treated as Status Indians with access to the same rights; however, the Inuit do not fall under the provisions of the *Indian Act*, and they do not live on reserves.

While it is important to bring clarity to the different names given to Aboriginal people, Frideres (1993) contended that when reflecting on the meaning of the many terms used to describe the original inhabitants of the American Continent, it is necessary to understand that the terms reflected the relationships that have existed between Aboriginal people and the Europeans who encountered them and classified them. Aboriginal identities have been belittled and degraded with negative images in all public forums, and, as a result of the dominance of Western ideals and social norms, many Aboriginal people feel lost and detached from their cultural world (Ranford, 1998).

Today, while some of terms are still in use because they are legal definitions under the *Indian Act*, revised terms have come into use and are considered more politically correct because they reflect Aboriginal peoples' own perceptions of themselves (Frideres, 1993). And, herein lies the key to the role of culture in rehabilitation for Aboriginal offenders; while many Aboriginal people have difficulty identifying with Aboriginal culture, and while many others have a shame-based identity as an Aboriginal person, the value of culture-based rehabilitation programs lie in

their ability to build and strengthen the ability to self-identify as Aboriginal, to come to know the self as an important being, and to develop a sense of belonging to a valuable and strong culture group.

Identity Development and Self-Esteem

Rummens (2001) defined the term "identity" as the distinctive character of any individual, or the character shared by all members of a group. Rummens (2001) explained that the term was a comparative one in nature as it emphasized the degree of sameness one has with others. The term "personal identity" is used to refer to the identification of the self by the self in comparison to the other (Rummens, 2001: 3). Identity processes refer to the development and formation of identity, and it refers to the cognitive processes that individuals undergo as they mature and as they develop a sense of self (Rummens, 2001). Erikson's (1902 – 1994) writing popularized the concept of identity, and identity formation was the focus of much of his work. He proposed a life-span theory of development that encompassed the entire life cycle (Santrock, 1987). For Erikson (1950), adolescence was the period in the life cycle during which individuals formed a sense of personal identity (cited in Santrock, 1987). Erikson's theory also embraced society's influence and the social aspects of identity development, and he proposed that, in order to acquire a healthy identity, children must be consistently recognized for their accomplishments by significant others (cited in Santrock, 1987).

Identity development is also linked to self-esteem. According to Block (1985), when young children experience family environments that are supportive, active, and stable, they are likely to exhibit high self-esteem (cited in Santroc, 1987). Nurturing self-esteem is a primary undertaking in socializing children, and it is understood that a lack of self-worth leaves a child

vulnerable to a multitude of social and psychological problems (Brendtro, Brokenleg, & Van Bockern, 2002). Children with low self-esteem can find challenges to be the source of anxiety and frustration and they can experience difficulty in finding solutions to common problems. According to Brendtro et al. (1992), the sense of belonging is also critical to the sense of self-esteem, as the sense of belonging is linked to the need to feel protected by others and the need to feel valued and important.

Given that self-esteem is linked to the way people perceive themselves, it can have profound effects on the way individuals feel, think, and behave (Leary and Tangney, 2003). Hart (2002) contends that Aboriginal individuals and families eventually came to adopt the beliefs, values, and attitudes their colonizers had projected towards them, and their own sense of worth became based on degrading other family members through threats and abuse. This has resulted in self-destructive behaviors, substance abuse, violence, depression, anxiety disorders, and suicidal behavior (Mussell, 2005). The disproportionate amount of crime committed by Aboriginal people can be viewed, in part, as a product of the shaming of their culture by colonial authorities and successive Canadian governments. While society cannot condone or excuse the criminal behaviour of individuals, the self-destructive and deviant behaviours of some Aboriginal people may rise out of a social label that has been imposed upon a nation and internalized for generations.

Cultural Identity, Self-Esteem, and Belonging

While the term "personal identity" is used to refer to the identification of the self, the term "Cultural identity" refers to a feeling, or a sense of belonging and attachment that an individual has to a group of people with common cultural experiences and values (Berry, 1999;

Guimond, 2003). In a study by Mason (2000), few thematic formulations emerged as consistently as that of cultural identity. In a study comparing cognitive-behavioral therapy and traditional Aboriginal Sweat Lodge ceremony, "respondents made references to cultural identity as a reported sense of togetherness, community, and/or prevailing collective cultural experience that is intimately tied to the perceptions of self as Aboriginal" (Mason, 2000: 100). Having a cultural identity involves the acceptance of a culture's beliefs and practices as one's core values (Kirmayer et al., 2000). Every individual identifies with a culture and identifies with being a member of that culture group. Jansen (2005) maintained that belonging to a group translates into having something in common with the other members of the group and that 'something' is worth preserving. Cultural identity is the part of an individual's identity that links him / her to a group and, according to Berry (1999), it is being linked to the group that provides the individual with a sense of meaning in life. Mason reported that respondents alluded to their cultural identity and having "notions of duty and commitment and how this, in turn, contributed to a sense of direction or purpose in life" (2000: 101).

The importance of having a positive sense of self and cultural identity to a person's health cannot be underestimated (Ranford, 1998). Just as many academics have examined the connection between individuals' identity and their level of self-esteem or their evaluation of their self-worth, many researchers have concluded that cultural identity is also a central element of self-esteem (see Chandler and Ball, 1989; Chandler, 1994; Cullar and Roberts, 1997; Finch et al., 2000; Mehta, 1998; Phinney and Chevira, 1992; Triandis, 1972; Torres-Matrulo, 1980).

Adler argued that people were not only motivated by self and public esteem, but also by concerns of belonging and security (cited in Boeree, 2006). Adler's theory stressed the importance of "social interest" or "community feeling", and the idea that a person developed

their identity while considering their social environment (Boeree, 2006). Erikson's (1982) theory of identity development stressed the importance of interactions with others and the traditions and customs that govern the group (cited in Santrock, 1987). Cultural identity provides an individual with a "sense of attachment" in that there is an emotional significance attached to the membership (Berry, 1993, as cited in Skye, 2006).

Identity development has been linked to self-esteem and a negative identity can have profound effects on the way individuals feel, think, and behave. Research has also concluded that cultural identity is a central element of self-esteem. The evidence throughout Canadian history is that Aboriginal identities have been belittled and degraded and, as a result, many Aboriginal people have difficulty identifying with Aboriginal culture, while others have a shame-based identity. Unfortunately, as mentioned above, many Aboriginal individuals and families adopted the beliefs, values, and attitudes of their colonizers, and their sense of worth was based on degrading and abusing others. The extent of mental health problems seen amongst Aboriginal people is alarming and warrants further discussion here before turning to the role of culture in rehabilitation and a discussion of the process of restoring and renewing healthy identities. The next section discusses the prejudice, community disruption, socio-cultural conditions, and pervasive mental health and addictions problem that many Aboriginal individuals and communities face.

Wounded Identities and Trauma

Erickson asserted that personal identity formation occurred in the context of culture and is also, in part, affected by the identity of the nation to which the individual belongs. Erickson maintained that one could not separate the identity development of an individual from the issues

a nation was confronted with because they were relative to each other and helped to define each other (cited in Santrock, 1987). As a result of colonization and assimilation, Aboriginal people suffered not only economically and socially, but The Royal Commission on Aboriginal Peoples acknowledged that a colonial past layered assault after assault on Aboriginal culture and identities, and the loss of cultural identity for Aboriginal people has continued for centuries (RCAP, 1993; Quinn, 2007). Mussell (2005) stressed the importance of developing a positive personal and cultural identity to address this cultural insecurity felt by offenders. Waldram (1997) found issues of identity were important for Aboriginal individuals, and of the offenders who participated in his research, most admitted to having been embarrassed or ashamed of their native heritage at some point in their lives. As a nation, Aboriginal people have endured prejudice, community disruption, and socio-cultural conditions, and pervasive mental health and addictions problems, and these factors have undoubtedly affected Aboriginal identities at a personal and cultural level.

Prejudice

Although the need to study cultural identity originally arose out of an increasingly multicultural society and a concern for immigrants who faced the disruption of attachments to supportive networks and the problems associated to economic survival, the study of cultural identity applies equally to individuals from a culture dominated and assimilated by a colonial one (Mezich et al., 2009). In conjunction with the study of cultural identity, the study of prejudice helps explain how some Aboriginal people developed damaged and negative self-identities and how this is associated with the history of their culture. Tajfel's and Turner's (1979) Social Identity Theory posited that individuals obtained a positive or negative self-regard either by accomplishments or by the groups to which they belonged. Tragically, as discussed earlier,

residential schools were government-sponsored programs that succeeded in alienating generations of Aboriginal people from their sense of self and from their families and communities.

According to Rudin (2007), the central belief of the proponents of the residential school system was that removal of Aboriginal identity was in the best interest of the children. Aboriginal children in residential schools were not permitted to learn anything about their families or communities, and they were not taught their history or culture (Mussell, 2005). Instead, residential schools were patterned on the belief that Aboriginal children had to be removed from their Aboriginal self-identity, and taught that their language, their cultural beliefs, and their Aboriginal identities were sinful and 'dirty' (Rudin, 2007). The language of a culture holds unspoken values, but those values were quickly lost as Aboriginal children were forbidden to use their language under the threat of severe whippings (Brendtro, Brokenleg, & Van Bockern, 1990).

Initially, Aboriginal peoples were identified as "noble savages"; however, when they no longer served a purpose for European explorers, the quality of nobility was dropped and they became regarded simply as 'savages' (RCAP, 1996). For generations, Aboriginal people have been told repeatedly that they are not valued as equal citizens in Canada by other Canadians and by the Government. Everything that forms a part of Aboriginal people's traditional identity has been demoralized; their religions, their parenting styles, their justice practices, their languages, their economies, their clothes, their housing, and even their children's physical appearance and manner of dress was ridiculed by colonial officials (Hart, 2002). Couture and Couture (2003) termed the effects of colonization as ethno-stress or stress characterized by an entire life experience feeling different from the dominant culture. The stress created as a result of the

historically reinforced superiority of the dominant culture and the rightness of the ways of that culture, over time, creates an identity crisis (Couture and Couture, 2003). Waldram (1997) also drew on Couture and Couture's notion of the damaged communal self and Erikson's notion of community trauma to argue that it was critical to understand the effects of assimilation policies on Aboriginal people and to view Aboriginal men and women in prison as survivors of historic cultural trauma linked to cultural oppression.

Community Disruption and Socio-Cultural Conditions

Erickson maintained that the search for identity also involves the establishment of a self-concept in which the past, present, and future of the nation form a unified whole (cited in Santrock, 1987). Unfortunately, the assaults on their culture and Aboriginal identities through the residential school experience left many Aboriginal people feeling inferior and estranged from themselves and from their families and communities (Brendtro, Brokenleg, & Van Bockern, 2002). Consequently, identity formation for Aboriginal people has been made more difficult because the older generation was not able to provide adequate role models for younger generations and family and community tradition has been lost (see Erickson in Santrock, 1987). Although many Aboriginal communities resisted the assault on their culture, research has demonstrated that many Aboriginal offenders were raised without community stability and without cultural teachings or ceremonies (Ellerby and MacPherson, 2002; Heckbert and Turkington, 2001; Johnston, 1997; Trevethan et al., 2001).

According to Erickson's theory of identity development, socio-cultural conditions affect the development of identity, and being a member of a minority group can easily lead to the development of a negative identity (cited in Santroc, 1997). It has been suggested that cultural

identity may be developed out of hatred and anger directed toward a dominant majority, rather than out of the "positive elements of an individual's ethnic background" (Santroc, 1997: 422). All cultures are in a state of constant change, and academics have argued that cultural identity is not based solely on heritage, but also on how individuals experience the current situation of their culture (Kirmayer et al., 2000). Kirmayer and colleagues (2000) explained that many Aboriginal cultures were socio-centric in that individuals were defined (and defined themselves) in relation to the well-being of the family and community. Unfortunately, many Aboriginal people live in what Nagler (1972) described as a "culture of poverty" characterized by dependence, family instability, and a personal sense of hopelessness and inferiority (as cited in LaPrairie, 1988), and these feelings have most likely interfered with the development of healthy identities.

Mental Health and Addictions

Adler discussed the concept of psychological inferiorities that were the result of being overwhelmed by forces of inferiority, such as the people around you always holding you in contempt (cited in Boeree, 2006). Hart (2002) asserted that Aboriginal people internalized the colonization processes and started to believe in the degrading images that were forced on them. Today, many Aboriginal people feel confused and powerless, and are pressured to detach from whom they are. As a result, their courage, confidence, and hope have been destroyed (Hart, 2002). As a way out of the confusion or cultural insecurity, Mussell (2005) asserted that Aboriginal people escaped through alcohol and substance abuse, exploding with rage, or sinking into depression. Studies have found similarities amongst Aboriginal persons in treatment programs, including alcohol or substance abuse problems, experience with interpersonal

violence, homelessness, physical illness, criminality, and disruption of social relationships due to their behaviour (Waldram, 2008).

In addition to the pervasive problems of addiction in some Aboriginal communities, Aboriginal people must contend with serious mental health issues - a legacy of the residential school system. “These experiences have left Indigenous cultural identities reeling with what can be regarded as a pervasive and complex form of PTSD” (Brant-Castellano and Archibald, 2006: 73). A study by Söchting and colleagues for the Aboriginal Healing Foundation involving 127 case studies of former students of residential schools found that “many of the Aboriginal people studied had several risk factors for complex posttraumatic stress disorder and many mental health problems associated with complex trauma” (2007: 320).

Another recent study of culture-based programs across Canada found that most of the participants were not residential school survivors themselves; rather, they had been seriously affected by the dysfunctional behavior of their parents and grandparents who had these experiences (Waldram, 2008). Professionals who do not have an awareness of this tragic “collective” experience cannot hope to help their clients. Critically, any rehabilitative programs that do not attend to the damaging effects of these experiences will not have the intended results and may, in fact, do more harm than good.

With respect to the impact of trauma on identity, Waldram (1997) explored the concept of complex Post Traumatic Stress Disorder and reviewed the work of Herman (1992) who examined the commonalities between people who experienced acute traumatic single events and prolonged trauma and terror. Waldram concluded that PTSD not only destroyed the victims’ sense of safety in the world, but also their positive value of the self. According to Herman, repeated trauma in childhood forms and deforms the personality, and the development of a

positive self-identity is compromised. Herman proposed the variant of PTSD, "complex PTSD" which addressed the therapeutic needs of individuals suffering the effects of long-term sustained trauma (cited in Waldram, 1997). With respect to PTSD, Herman (1992) suggested that an individual's identity could be compromised as a result of long-term abuse (cited by Waldram 1997).

Summary

Self-esteem has been linked to the development of a healthy identity, and a negative identity can have negative effects on behaviour. As a result of the disruption and loss of culture, many Aboriginal offenders have a poor sense of self or worth as individuals and as Aboriginal persons, and this contributes to high risk and abusive behaviors that can result in their over-representation in the criminal justice system. Many Aboriginal offenders contend with wounded identities, histories of trauma, and mental health and addictions problems due to the prejudices they have experienced as Aboriginal people, and due to the severe levels of family and community disruption they have endured. Rehabilitation programs that are based on traditional cultural teachings and practices attempt to re-establish positive Aboriginal identities by helping offenders to learn the traditional values upon which their culture is built, and reinterpret themselves as Aboriginal persons. The next chapter, then, explores the various types of culture-based rehabilitation programs and the literature that is available measuring their effectiveness; however, it begins by examining more closely the healing movement based on reclaiming culture.

CHAPTER FOUR – CULTURE-BASED REHABILITATION FOR OFFENDERS

Restoring Identity and Cultural Identity

A report by the Aboriginal Healing Foundation (2007) described the popular new Aboriginal healing movement - a movement driven by Aboriginal people towards healing through the claiming of culture. This movement has helped to build the perception that Aboriginal culture is a source of strength and a way back to wellness. This movement has taken hold in the fields of mental health and addictions and stresses the importance of understanding the collective experience of Aboriginal people. As Chansonneuve (2007) maintained, knowledge of the legacy of residential school abuse and the intergenerational effects of that abuse are central to understanding the problems of individuals. From an understanding of the root of the problems, the Aboriginal approach to healing can build on the importance of restoring cultural identity and pride, and in the context of restoring cultural identity and pride, individuals learn the importance of the restoration of healthy relationships and learn healthy coping strategies to deal with stress (Chansonneuve, 2007).

It is widely asserted that the core aspects of Aboriginal identity are critical to the healing process and, based on this belief, culture-based rehabilitation programs are being advanced in Canadian prisons as a model of rehabilitation for Aboriginal offenders. The importance of the development of a positive identity and a strong and healthy cultural identity for Aboriginal offenders through culture-based programs is clear when understood in the context of the damaging effects of assimilation policies on the individual identities of Aboriginal children (Trevethan et al., 2001). Waldram (2008) suggested that since the identity issues facing Aboriginal offenders are rooted within the colonial experience of oppression, offender rehabilitation might best be handled with the Aboriginal framework. The importance of

developing a secure sense of cultural identity cannot be stressed enough as Mussell (2005) contended a clear and positive sense of cultural identity can act as a protective force against despair, self-destructiveness, and suicide. With respect to the effects of trauma and the recognition of the affect on identity, Waldram (2008) contended that Aboriginal spirituality and culture, as a way of healing, was well-suited to deal with the suffering, maltreatment, racial discrimination, and identity confusion often felt by Aboriginal offenders.

All offender rehabilitation programs strive to change anti-social beliefs and attitudes, and teach coping and problem solving skills. The programs being developed for Aboriginal offenders place an emphasis on encouraging pro-social values through traditional Aboriginal cultural teachings and the renewal of a cultural identity that espouses these beliefs (Lawrence, Bracken, & Morissette, 2007). If one accepts Adler's theory that social concern comes from the internalization of the values and beliefs inherent to a particular society (Boeree, 2006), it follows that accepting the belief systems of traditional Aboriginal culture and participating in its philosophies and rituals of healing may create opportunities for rehabilitation.

In the formation of a healthy cultural identity, offenders learn to replace their anti-social beliefs for the beliefs and practices of a culture they can take pride in being a part of. Culture-based rehabilitation programs are promoted as attempts to restore health to the decendents of a nation recovering from the effects of a war on culture. James Youngblood Henderson (1995) explained that when Aboriginal people begin to formulate a view of their own identity and learn traditional values, the process of healing begins. Traditional teachings are said to have the capacity to promote and restore self-respect, self-care, self-responsibility, respect and responsibility for the family, community, nation, and environment (Chansonneuve, 2007). Couture and Couture (2003) asserted that the turning point for Aboriginal offenders will take

place when young people return to their traditional healing practices and remember who they are as Native people.

The formation or reconnection of a cultural identity is gradually achieved through the teaching of a traditional worldview. Often, Aboriginal inmates participate in culture-based and spiritual programs, not as an effort to rehabilitate themselves, but for a number of different reasons, including to work out identity issues, to learn their culture and history, and to demonstrate solidarity with other Aboriginal inmates (Waldram, 1997). However, through involvement in these culture-based programs, participants are given the opportunity to learn more about the Aboriginal worldview. The teachings they receive are an important part of coming to know themselves as individuals and establishing their sense of self-worth (Palys and Victor, 2005). Through the establishment of an Aboriginal worldview, offenders are taught why they are ill and what they need to do to get well (Waldram, 1997). They also learn to care for every part of their being; the emotional, the mental, the physical, and the spiritual.

If, as the RCAP (1996) suggested, the failing of the criminal justice system is due to the differences in worldviews, it is not enough to use culture to make a western-based system of justice more 'sensitive' to the needs of Aboriginal people. The changes being made to the criminal justice system, and to rehabilitation programs in particular, should be designed in ways that incorporate Aboriginal values and are based on traditional teachings that promote healing through the renewal of strong self and cultural identities. Prison rehabilitation programs for all offenders are designed to develop self-confidence, acceptance of responsibility, and independence of thought (Griffiths and Verdun-Jones, 1989). The traditional values and practices of traditional healing may give offenders a framework for their behaviour and help them to understand what is culturally acceptable. Based on this popular notion, the Canadian government

has responded to the call for specialized services for Aboriginal offenders to meet these treatment goals in a culturally meaningful way.

Aboriginal people are over-represented in the Canadian criminal justice system, and if one accepts that the cause of over-representation can be understood, at least in part, as being related to identity, cultural identity, and self-esteem, then the importance of renewing and restoring healthy identities and cultural identities through culture-based rehabilitation programs is deserving of further study. The value of culture-based rehabilitation programs may lie in their ability to build and strengthen the individual's self-identify as Aboriginal, to come to know the self as important, and to develop a sense of belonging to a valuable and strong culture group. Furthermore, because the individual cannot be separated from the community, culture-based rehabilitation not only helps to strengthen the individual, but helps to heal social relationships, foster the development of social concern and social responsibility, and may serve to strengthen Aboriginal communities as a whole.

Before examining the literature on the evaluation of culture-based rehabilitation programs for offenders, it is helpful to begin with an overview of the types of programs available in Canada, the history of Aboriginal-specific programming, and an overview of the various forms culture-based rehabilitation programs for offenders. Beginning with the introduction of Sweat Lodges in Canadian prisons in the early 1980s, the next section provides a brief description of programs offered within the institutions – including the role of Elders, core programs offered to Aboriginal offenders, and special culture-based units, and concludes with a discussion of stand-alone institutions that are steeped in Aboriginal culture.

Types of Programs

Culture-based healing programs offered to Aboriginal offenders within Canada include programs such as the *Tupiq Program for Inuit offenders, In Search of Your Warrior, Spirit of Your Warrior, Aboriginal Offender Substance Abuse Program (AOSAP), Aboriginal High Intensity Family Violence Prevention Program, National Aboriginal Basic Healing Program,* and the *Circles of Change Program.* These programs are not offered in all institutions in Canada, and some regions have more culture-based programming than others (Correctional Service Canada, 2004).

Sweat Lodges

The introduction of culture and spiritual programs in prisons in Canada dates back to 1983 with the first Sweat lodge being built at Kent Penitentiary as part of the demands by Aboriginal inmates to end their hunger strike (Waldram, 1997). Since that time, Aboriginal and non-Aboriginal people have continued to lobby corrections officials for culture and spiritual-based programs and activities in institutions. Eventually, the Correctional Service of Canada began by developing and implementing policies to accommodate Aboriginal spirituality within the prisons.

A sweat lodge is considered to be a holy and sacred place, and the traditional custom can be understood as a spiritual ceremony involving cleansing and prayer to the Creator (Rutledge and Ronson, 1992; cited in Mason, 2000). While sweat lodge practices vary amongst subcultures, the sweat lodge ceremony has a central role in the development and maintenance of a positive self-identity for healing (Waldram, 1997). According to a study conducted by Mason (2000), the sweat lodge ceremony played the dominant role in the formation of Aboriginal identity among respondents. Mason (2000) studied and compared the experiences of federal

Aboriginal offenders who attended both a cognitive-behavioural program and a traditional Aboriginal sweat lodge ceremony as part of their treatment in a forensic psychiatric hospital with the Correctional Service of Canada. Mason (2000) explained that this identification process as an Aboriginal person was both a deeply personal experience for participants, and involved their re-attachment to the Aboriginal community. The theme of "connectedness" emerged as the most prominent theme in his research.

Elders

The Correctional Service of Canada now has a continuum of care model that has, at its core, spiritual and cultural interventions provided by Elders. CSC's national programs are based on cultural traditions and ceremonies that are based on the teaching and guidance of Elders (Aboriginal Initiatives Directorate. Correctional Services Canada, 2006). According to McWhinnie (2006), the best programs are those that operate from a social-learning perspective and focus on changing behavior through changing attitudes, values, and beliefs. According to Waldram (2008), Elders work with inmates to help them develop an understanding of an Aboriginal worldview and traditional healing symbols, and much of the work of Aboriginal Elders and spiritual leaders in prison is directed toward resolving identity conflict and establishing a positive, proud Aboriginal identity within troubled inmates.

While many contend that Elders are highly respected by corrections officials, Waldram (2008) suggested that the role of Elders in the rehabilitation of Aboriginal offenders still needed to be elevated. Waldram (2008) emphasized that Elders should not be considered the equivalent of chaplains, but regarded on par with therapists from the Western-orientation. In fact, studies have shown that Aboriginal offenders consider Elders essential to their rehabilitation and more

important than other counselors and therapists. The study by Johnston (1997) revealed that 40.7% of participants felt that Elders were better counselors compared to 2.9% of other counselors employed in the prison. In a study by Hodgson and Heckbert (1994), 95% of respondents acknowledged that Elders played a significant role in assisting them to turn their lives around. The earlier study by Waldram (1997) also reported that the majority of the 30 respondents interviewed felt Elders were essential to their rehabilitation.

Pathways Units

The Correctional Service of Canada has also implemented Pathways units which operate as maximum and medium security institutional living environments aimed at meeting the cultural and spiritual needs of Aboriginal inmates to prepare them for transfer to minimum security healing lodges by "creating cultural ties that some inmates have lost for a variety of reasons" (Amellal, 2006: 8). The Pathways units were created in 2000 as a pilot project and have been established in all regions of the Correctional Service of Canada (Aboriginal Initiatives Directorate, Correctional Services Canada, 2006). The approach used in every unit may vary depending on the teachings of the Elders, but the goals of all Pathways units are the same, namely "to help offenders heal so they can become positive role models for other offenders, their families, and their community" (Amellal, 2006: 9).

Core Programming

In addition to supporting Aboriginal offenders in practising their spiritual traditions through the sweat lodge ceremony and the teachings of the Elders, the Correctional Service of Canada implemented several other culture-based programs for Aboriginal offenders over the past

decade. Research has been conducted to understand the different needs of Aboriginal offenders and new programs that incorporate culture have been developed and are being piloted in many institutions, such as Aboriginal Offender Substance Abuse Programming (AOSAP), Circles of Change, and the In Search of Your Warrior program.

Programs such as the In Search of Your Warrior program for Aboriginal offenders with a history of violence and the Spirit of Warrior program which offers assistance to Aboriginal female offenders are also offered at many Canadian prisons today. These programs combine traditional practices with the psychotherapeutic approach. The programs have cultural and spiritual components as their foundations, but are designed to alter those cognitive distortions that contribute to criminal behaviour (Bell and Flight, 2006). Correctional Service Canada reported that the initial results from the evaluations of these programs were promising and that the Service supported the development and implementation of more such programs (Aboriginal Initiatives Directorate, Correctional Services Canada, 2006).

The culture-based programs offered by the Correctional Service of Canada are not exclusive, and non-Aboriginal offenders are afforded the opportunity to participate in a traditional Aboriginal method of counseling based on cultural teachings that they may find helpful and relevant to their needs. Non-Aboriginal offenders who choose to identify with the values and beliefs embedded in Aboriginal culture and traditional ways of healing can find them as helpful as an Aboriginal person because the beliefs and values inherent in Aboriginal culture transcend blood quantum definitions.

Healing Lodges

Culture-based rehabilitation programs have also advanced to take the form of stand-alone minimum security prisons for offenders called Healing Lodges. As stated in Chapter One, these programs are mandated under Section 81 of the Corrections and Conditional Release Act. The opening of the first Healing Lodge program for women took place in 1995 and the first Healing Lodge for men opened in 1997 (Aboriginal Initiatives Directorate, Correctional Services Canada, 2006). These programs are operated either by the Correctional Service of Canada or by Aboriginal communities in partnerships with the Service. The concept for these facilities emerged from the Task Force on Federally Sentenced women in 1990, and they are meant to help Aboriginal offenders reintegrate successfully by using traditional healing methods (Chartier and Rankin, 2006).

There are currently eight Aboriginal Healing Lodges across Canada with capacity for 2,955 offenders. There are three Healing Lodges operating in Saskatchewan, two in Alberta, two in Manitoba, one in Quebec, and one in the North-West Territories. After several years of trying to establish more Healing Lodges, the Correctional Service of Canada concluded in 2006 that, while Aboriginal communities were interested in developing healing lodges, they sometimes lacked the capacity to engage in the planning and development of these programs and were often more focused on the immediate needs of their communities, such as health, housing, and employment (Aboriginal Initiatives Directorate, Correctional Services Canada, 2006). Given this, there currently are no plans to expand or increase the number of Healing Lodges.

Models of Promising Practice

With respect to trying to identify the most promising models of rehabilitation that involve traditional cultural knowledge and practices, the literature suggested that programs must take

account of the collective history of Aboriginal peoples and the diversity of culture amongst them. Aside from these two tenets, the literature concluded that there was not just one promising model of a culture-based rehabilitation model; rather models must be flexible and may use integrative approaches combining traditional culture and western psychotherapeutic techniques.

One of the goals of the study by the National Network for Aboriginal Mental Health and Healing Research (2008) was to compare culture-based rehabilitation programs to discern which approaches and program components were more successful than others to develop a tool for the future development of culture-based programs. One of the findings of the report was that, of the five programs evaluated, legacy education was a core element of any culture-based healing program (Chansonneuve, 2007) and, according to McWhinnie (2006), it is legacy education that helps participants gain an understanding of the damage caused by the trauma resulting from colonization and assimilation policies.

Aside from this common starting point, the major findings of the report were that there was not one single approach to healing that represented all Aboriginal people, and the report concluded that approaches to healing had to be flexible to meet the diverse needs of Aboriginal offenders (Waldram, 2008). As McCaskill (1985) maintained, Aboriginal offenders were not a homogeneous group (cited in Waldram, 1997). Aboriginal cultural identity is not a single element; rather, it is a composite of features that together shape how a person thinks about herself or himself as an Aboriginal person (Royal Commission on Aboriginal Peoples, 1996). Some people are firmly entrenched in culture, while others lack cultural experience. According to Waldram (2008), even when there was a lack of cultural experience, this did not imply 'cultureless', but rather little or no experience. Unfortunately, for many Aboriginal people, prison is where they first experience their culture. In an evaluation of the Ma Mawi Wi Chi Itata

family violence program at Stony Mountain Penitentiary in Manitoba, Zellerer (2003) found that participants reported that they were highly satisfied with the cultural components of the program, especially the sweat lodges, and many participants reported that this had been their first opportunity to explore and understand their Aboriginal culture. Zellerer concluded that the importance of the cultural and spiritual components of the program should not be underestimated.

The great diversity amongst Aboriginal peoples is reflected in the diversity amongst Aboriginal offender populations. Offenders differ in terms of their backgrounds, identities, personalities, values, attitudes, and interests. Given this, effective programs models take these differences into account in their development and implementation. The diversity amongst Aboriginal offenders illustrates the difficulties Elders and Healers face when facilitating programs in prisons which house Aboriginal offenders from many different regions of Canada representing many different Aboriginal nations. These program facilitators have to reconcile broad cultural differences, different linguistic abilities, different degrees of orientation to Aboriginal and Euro-Canadian culture, and do so within an institution with historically a profound lack of understanding of Aboriginal culture (Waldram, 1997). Since spirituality is an integral component of culture-based healing programs, the programs must also be sensitive to the differences in spiritual beliefs amongst participants.

These findings seem to be supported by earlier literature which did not suggest that the Western or European contributions to healing be ignored, only that Western or European-culture based approaches were not the only ways to wellness (Waldram, 1997). It was even accepted that offender rehabilitation programs could combine Aboriginal healing paradigms and biomedical

and psychotherapeutic treatment paradigms to provide another option for Aboriginal and non-Aboriginal offenders (Waldram, 2008). However, academics cautioned that in the blending of models, non-Aboriginal helping professionals should not try to direct Aboriginal healing methods or impose dominant psychotherapeutic understandings of treatment on culture-based programs. Instead, Aboriginal people should be free to determine the helping theories, approaches, and practices they valued and wanted to participate with (Hart, 2002; Waldram, 2008).

The introduction of culture-based healing programs within the walls of Canadian prisons dates back almost three decades. Aboriginal offenders and their advocates successfully lobbied government for the right to incorporate traditional forms of healing, such as sweat lodge ceremonies and the guidance of Elders, into their lives. Over time, government also came to recognize the value of Aboriginal culture in the rehabilitation of offenders. Greater emphasis was placed on developing policies and programs that would provide inmates with options to pursue rehabilitation in a culturally specific way. These included the Pathways strategy, various core programs that targeted specific issues from a culture-based curriculum, and stand alone Healing Lodges that operated on cultural values.

Culture-based programs seem to enjoy not only governmental support, but popular academic support as well. A review of the literature by Hughes and Mossman (2001) concluded that academic support for culture-based programs was also strong. Their review revealed that many academics believed that the rehabilitative needs of the offender should be addressed in accordance with Aboriginal culture and they also believed in the intrinsic value of culture-based rehabilitation programs for Aboriginal offenders. In fact, according to Singh and White (2000),

the incorporation of cultural elements into the rehabilitation of Aboriginal offenders was considered, by many, to be essential (see Baike, 1997; Corrado and Cohen, 2002).

The bulk of the literature contended that culture-based programs were effective, not only in terms of the promotion of self-esteem, cultural identity, and the promotion of pro-social attitudes, but in many other ways. The literature suggested that culture-based programs improved program responsivity and effectiveness, increased participant completion, reduced risk and recidivism, and facilitated offender reintegration. However, despite the abundance of policy and program support, there remains a paucity of evaluations of culture-based programs in Canada. A review of the existing literature indicates where further study is needed.

Identity, Cultural Identity, and Self-Esteem

As mentioned throughout this paper, there is a common assertion in the literature that over-representation of Aboriginals in the criminal justice system remains connected to a sense of loss of culture and loss or lack of cultural identity. There is also the belief that culture-based programs for Aboriginal offenders facilitate rehabilitation by using a cultural approach that helps to transform or renewing identity and cultural identity. Skye (2006) suggested traditional teachings provided these individuals with a new cognitive framework that helped maintain a healthy balance in their lives and tools to deal more effectively with daily stress:

> …Aboriginal spirituality has become an increasingly powerful factor in the day-to-day lives of both men and women offenders. Many have been introduced, often for the first time, to the beliefs of their ancestors, and through this way of life they have established a sense of self-worth and identity. Their new sense of self and community is based not on criminal pursuits but on the shared ceremonies of the sacred pipe and the sweat lodge and on the teachings of Elders who are accorded the same status of other faith leaders (Chartier and Rankin, 2006: 6).

The literature relating to the cultural identity of Aboriginal offenders suggested that culture-based programs helped offenders gain an understanding of themselves as Aboriginal persons and

this, in turn, had a positive effect on behavior and supported their healing journey (Chartier and Rankin, 2006; Heckbert and Turkington, 2001; Rojas and Gretton, 2007; Trevethan, 2002; 2003; 2005; Waldram, 1997; Weekes and Milson, 1994).

In an early study for the Correctional Service of Canada, using the Rosenberg's Self-Esteem Scale, Weekes and Milson (1994) concluded that a culture-based substance abuse pre-treatment program revealed an improvement in participants' self-esteem. Later, Waldram (1997) argued that Aboriginal culture could play a key role in rebuilding identities, and, in so doing, address over-representation. In a study by Waldram (1997), identity problems were pervasive with many Aboriginal offenders experiencing identity conflict. Waldram asserted that identity issues were central to the overall rehabilitative process. Waldram (1997) contended that culture-based programs reasserted identity through the promotion of cultural beliefs and practices, and this renewal of identity served as a form of treatment. Through the teaching of Aboriginal culture and the internalization of cultural values, Waldram (1997) asserted that participants may begin to feel a sense of cultural identity and this supported their rehabilitation efforts. This conclusion was supported by a later study by Heckbert and Turkington (2001), in which the majority of participants (94%) indicated that learning about identity was essential to successful reintegration after incarceration. Similarly, Trevethan (2002), in an evaluation of the Healing Lodge, reported that culture-based programs helped inmates better understand themselves as Aboriginal people and furthered their healing journey.

Ellerby and Ellerby (1998) undertook a qualitative study of the role of traditional healing in the treatment of Aboriginal sexual offenders. Eleven traditional helpers, eight sex offender therapists, and 12 Aboriginal participants were interviewed. Program effectiveness was attributed

to the involvement of traditional practices in the program, and of particular importance was the strengthening of personal identity among offenders (Ellerby and Ellerby, 1998).

A study by Furlong and Grant (2006) evaluated the Women Offender Substance Abuse Program being offered to women offenders in Okimaw Ohci Healing Lodge. The study found that pre and post program ratings of self-esteem of participants improved significantly. While Aboriginal women accounted for between 23% and 31% of participants, the study did not attempt to draw comparisons between programs that used a cultural approach and those that did not. In a study conducted at the Anishnawbe Community Healing Center on the link between healing and identity, Skye (2006) found that the enhancement and maintenance of health and well-being was associated with the development of or reconnection to an Aboriginal cultural identity. An evaluation of the Spirit of the Warrior program by Bell and Flight (2006) concluded that culture-based programs increased the level of self-esteem of participants and, as a result, participants demonstrated significant improvement in mental, emotional, physical, and spiritual elements of healing. In a later study, Trevethan et al. (2007) reported that forms of art, such as carving and painting, gave individuals a deeper sense of accomplishment and pride. Moreover, the large majority of residents (79 per cent) had a better sense of who they were as an Aboriginal person as a result of using art.

Deane and colleagues (2007) interviewed 12 participants of the Ogijiita Pimatiswin Kinamatwin program in Winnipeg, Manitoba, a program working with Aboriginal street gang members. The participants were each interviewed twice, over a ten month period, and the researchers concluded that, for these individuals who desisted from crime, “the greatest importance was the recognition of Aboriginal values and identification of one’s self as an Aboriginal person, experienced through acceptance of and participation in Aboriginal traditions

and ceremonies and the role this played in a break from criminal activity" (Deane at al., 2007: 134).

Completion Rates and Effectiveness

Ellerby and MacPherson (2002) reported that treatment completion rates improved for Aboriginal offenders with the introduction of cultural components and traditional healing methods in a contemporary treatment program for sexual offenders. They asserted that culture, teachings, and ceremonies were core aspects of Aboriginal identity and critical to the healing process. They concluded that culture-based rehabilitation programs increased the likelihood of successful completion by participants because a culture-based approach to program facilitation was more engaging for the participant. In addition to improving completion rates, culture-based programs are believed to increase the effectiveness of programs for Aboriginal offenders. In a study by Howell (2003), 52% of participants indicated that Aboriginal programs were effective because of the spiritual and cultural components. Howell (2003) asserted that spiritual and cultural traditions were fundamental components of treatment. In a subsequent study of 359 Aboriginal youth who had completed therapy for sexual offending, Rojas and Gretton (2007) concluded that knowledge of Aboriginal history and culture was vital and a culturally sensitive approach was required to increase program effectiveness.

Risk, Needs, and Responsivity

Risk / Needs

With respect to the design and implementation of offender treatment programs, the principles of risk, need, and responsivity have been determined to be central to the design of

effective programs (Bourgon et al., 2009). In 1990, Andrews and his colleagues (Andrews, Zinger, Hoge, & Bonta, 1990) identified these essential principles and, since that time, the RNR model has become the most commonly used model in rehabilitation (Bourgon et al., 2009). The principle of risk suggests that the level of rehabilitative services applied to an offender should match the degree of risk an offender poses to reoffend (i.e., the higher risk level of the offender, the more intense the efforts of rehabilitation). The need principle suggests that the rehabilitative services should be applied to the criminogenic needs of the offender – the needs of the offender that, if not addressed, will most likely result in reoffending. The responsivity principle suggests that the rehabilitative services must match the offender in terms of their cognitive ability and motivation (i.e., the more the rehabilitation program is tailored to the offender, the better the offender is able to respond to treatment) (Bourgon et al., 2009).

While the risk-needs-responsivity model is well-established and held to be the ideal of correctional programming, there is some debate surrounding the suitability of the existing RNR assessment tools with respect to Aboriginal offenders. The following section considers the advantages and disadvantages of the principles of risk, needs, and responsivity, and the application of these principles to culture-based programs and services for Aboriginal offenders.

In order to match offenders to appropriate programs, it is necessary to first determine the offender's level of risk and need. Several assessment tools have been developed and are used, not only in the design of rehabilitation programs, but at various stages of the criminal justice process. These assessment tools are used at the pre-sentence stage and can have a direct effect on sentencing. They are also used in correctional facilities to determine security classifications. Moreover, they are used in parole decisions and they are used post-release to develop and monitor rehabilitative plans for offenders.

Many academics contend that the risk factors identified as predictive of recidivism are independent of gender, race, and culture, and are as applicable to Aboriginal offenders as non-Aboriginal offenders (see Bonta et al., 1997). In her review of research on the relevance of risk assessment instruments to Aboriginal offenders, Rugge (2006) suggested that most risk factors had been shown to have equal predictability for Aboriginal and non-Aboriginal offenders, and some risk assessment tools predict recidivism for Aboriginal offenders with the same degree of success as they do for non-Aboriginal offenders.

Critics of these actuarial tools contend that they were developed on non-Aboriginal offenders and do not have equal validity for Aboriginal offenders. These critics argue that these tools are culturally biased and result in inequalities for Aboriginal offenders (Allan and Dawson, 2004; Doone, 2000; Gottfredson and Snyder, 2006; Maynard, Coebergh, Antiss, Bakker, & Hiriwai, 1999; Schwalbe, Fraser, Day, & Cooley, 2006). Gottfredson and Snyder (2006) opposed the use of risk assessment tools with Aboriginal offenders due to a perceived inherent bias and also because assessment tools failed to identify important risk and need factors specific to Aboriginal offenders. While it is correct to state that a larger number of Aboriginal offenders are classified as high risk because they present with a higher number of risk factors measured by risk assessment tools, and while statistics show that minorities are more likely to recidivate, Gottfredson and Snyder (2006) emphasized that these outcomes were not the result of race. Rather, they argued that race was correlated with a number of the predictors used in risk assessment tools, such as poverty, unemployment, education, and race contains many risk domains within it. The reality of many Aboriginal communities is that the majority of risk factors can be found within them, and it is not surprising then that Aboriginal offenders tend to have higher risk scores than non-Aboriginal offenders (Rugge, 2006). Unfortunately, this results in

Aboriginal offenders being placed in high security facilities, instead of low security healing lodges, and plays a negative role in their eligibility for parole.

Some research has suggested that there may be additional culture-related factors to consider in determining the risk of Aboriginal offenders, such as the sense of belonging to a group, community relations, cultural connections, cultural identity, and spiritual connections. Rugge (2006) reviewed the work of Maynard and colleagues (Maynard, Coebergh, Antiss, Bakker, & Huriwai, 1999) and suggested that their findings on the importance of cultural identity to positive behavior for the Maori were positive and should be studied further to determine if cultural identity was a risk factor that should be added to the assessment of Aboriginal people in Canada. Given this, additional research concerning what might be included as Aboriginal specific factors should be encouraged.

Responsivity

McWhinnie (2006) identified the principle of responsivity as one of the key principles governing the development and delivery of effective rehabilitation programs. The principle of responsivity refers to the importance of having the design and delivery of therapeutic programs done in a way that ensures the program meets the needs of the client, and that the treatment style is matched to the offender's learning style (Bonta, 1997). With respect to rehabilitation programs for Aboriginal offenders, there is much support for the idea of culture-based rehabilitation programs. Rugge (2006), for example, maintained that risk and need factors appeared to be similar for Aboriginal and non-Aboriginal offenders, but she also acknowledged the importance of the principle of responsivity and the need for the rehabilitative services offered to Aboriginal offenders be delivered in a manner that was different from service delivery to non-Aboriginal offenders. Importantly, she asserted that the treatment programs for Aboriginal offenders should be delivered within a cultural framework.

There are two major barriers to the rehabilitation of Aboriginal offenders, namely receiving treatment in the form of Western-based therapies and receiving treatment from non-Aboriginal professionals. These barriers may be due to the differences in cultural worldviews and a general lack of trust of non-Aboriginal people. With respect to differences in cultural worldviews, cautions should be made regarding the use of rehabilitation programs designed exclusively around cognitive-behavior theory. While many academics suggest that rehabilitation programs based on cognitive-behavioral theory are the most effective in changing the behavior of offenders (see Andrews and Bonta, 2003; Rugge, 2006), this form of therapy has often been rejected by Aboriginal inmates. According to Waldram (1997), correctional programming that sought to transform individuals by confronting them with the facts of their criminal behavior and convince them that they needed to change and embrace thinking and goals that were more socially-acceptable were often perceived by Aboriginal inmates as furthering their assimilation and oppression. Many would argue that to design and implement a rehabilitative program for Aboriginal offenders, such as one based on cognitive-behavior theory only, does not help the individual understand the source of intergenerational trauma and, therefore, is not as relevant for Aboriginal offenders. Instead, programs that address colonization and facilitate the reclaiming of cultural identity are being advanced (Mohammed, 2010).

Cognitive-Behavior theory suggests that our thoughts (i.e. internal cues) cause our feelings and behaviors. The idea that external cues (i.e., people, situations, and events) determine our behavior is rejected. In treatment programs based on cognitive-behavior theory, offenders are taught that they can change the way they think and, in so doing, change the way they feel and act. However, arguments have been made that using this approach, one that sees the problem as being one of the individual without considering the history of colonial relationships, is less

effective than those that are start with colonial history and an understanding of intergenerational trauma (Mohammed, 2010). Post-colonial psychology is a movement that critiques therapeutic approaches that ignore historical trauma, and proponents of this movement argue that rehabilitation for Aboriginal offenders must account for history and intergenerational trauma (see Duran and Duran, 1995; 2000; Wesley-Esquimaux et al., 2004).

Rehabilitation programs based on cognitive-behavior theory may be as valid for Aboriginal offenders as they are for non-Aboriginal offenders; however, an Aboriginal worldview requires that other facets of the individual be addressed. Aboriginal culture emphasizes that wellness involves more that the thoughts and behaviors of an individual. It requires that the physical and spiritual qualities of an individual must also be considered. Culture-based rehabilitation programs that blend history, cultural content, and activities, in combination with cognitive-behavior techniques, may better address the specific responsivity needs of Aboriginal offenders.

Research suggested that rehabilitation programs for Aboriginal offenders designed from an Aboriginal value-base and delivered in a way that respected tradition and culture served to remove barriers that interfered in offenders' healing by helping them to engage in the therapeutic process (Howells et al., 1999; Heilbron and Guttman, 2000; Wyrostock and Paulson, 2000; Turner, 2002; Parrish, 2008). In fact, Bragg (1999) argued that programs designed without a cultural context often failed to mobilize Aboriginal offenders, and programs that used culture to help participants identify with and take ownership of the program were more successful (Singh and White, 2000). Culture-based rehabilitation programs may also remove the second barrier to rehabilitation for Aboriginal offenders. Johnston (1997) found that Aboriginal offenders had serious reservations about dealing with correctional staff, and they were most trusting of other

Aboriginal people, especially native liaison officers, Elders, and spiritual leaders (cited in Trevethan et al., 2002). According to a study by Trevethan et al. (2002), Aboriginal offenders felt that staff in culture-based programs cared about them. In a study by Howell (2003) in which 50 participants were interviewed (40 Aboriginal and 10 non-Aboriginal), 92.5% reported that they most often solicited support from Aboriginal people and 90% found Aboriginal people to be the most supportive. In a later study by Trevethan et al. (2007), the close ties between staff and residents were seen as a very positive component of the culture-based program. This may be attributed to the sense that there was not a clear distinction between client and helper in the traditional Aboriginal healing process as is typical of most psychotherapeutic approaches that emphasized a strict separation between client and therapist. Instead, the relationship between the client and the helper in an Aboriginal-approach was a mutually beneficial one, wherein the client was helped in the healing process and the helpers were taught something about themselves through the process of working with their clients (Waldram, 2008).Recidivism and Reintegration

Research suggested that participation in culture-based programs helped to both reduce recidivism and facilitate reintegration of Aboriginal offenders. A study of 20 Aboriginal offenders by Hodgson and Heckber (1994) indicated that spirituality and cultural education had a significant impact on their getting out and staying out of trouble. A study by Johnston (1997) of 556 Aboriginal offenders also found that participation in cultural activities and involvement with Elders was strongly correlated to a decrease in recidivism. A later study by Heckbert and Turkington (2001), utilizing a sample of 68 Aboriginal offenders, found that culture-based programs that included self-improvement activities, such as spiritual and cultural activities, contributed substantially to the decrease in recidivism. Heckbert and Turkington (2001) reported

that 71% of participants stated that spirituality, ceremonies, and cultural activities played a vital role in maintaining a crime-free lifestyle.

Similarly, research by Sioui and Thiboult (2001) found that Aboriginal-specific programs focusing on employment and education reduced recidivism rates, and programs that included Elder involvement and those that involved the participation in cultural and spiritual activities also showed a decline in recidivism rates. Trevethan (2003) also contended that the ability of a program to aid Aboriginal offenders by helping clients acquire the skills to manage their risk to re-offend was heightened by a cultural approach.

Recent information from Correctional Services Canada suggested that culture-based programs, such as Healing Lodges, Pathway units, and Aboriginal Community Development officers, reported lower rates of re-offending for offenders who participated in these programs. For example, the Pathways units reported a significant effect on reducing the rate of re-offending among those who participated; 17% compared to 35% for those Aboriginal offenders who were not in a Pathways unit (Aboriginal Initiatives Directorate, Correctional Services Canada, 2006). Rojas and Gretton (2007) also reported that recidivism rates were lower among a larger proportion of Aboriginal adult offenders who attended a program that combined both contemporary treatment approaches and traditional healing approaches for sexual offenders.

Sioui and Thiboult (2001) asserted that culture-based programs also seemed to be a way of promoting reintegration. According to Trevethan et al. (2005), culture-based programs addressed the complexity of the needs of Aboriginal offenders, reduced their need for correctional programming, and better prepared Aboriginal offenders for their reintegration into society. A later study by Trevethan et al. (2007) concluded that healing lodges appeared to offer effective alternatives to incarceration for Aboriginal offenders and suggested that participation in

a healing lodge also resulted in significant improvement for several need areas for residents, and increased the number of inmates who received day parole. An exploratory study of 42 Aboriginal offenders by Howell (2008) found that respecting culture and traditional practices were the most notable strategies offenders could follow to facilitate reintegration and maintain a crime free life after incarceration.

The Aboriginal healing movement is a movement that has built the perception that Aboriginal culture is a source of strength and a way back to wellness. As in the fields of mental health and addictions, culture-based programs for offenders are based on this model and assert that the core aspects of Aboriginal identity are critical to the healing process. Aboriginal specific programming, in their various forms, have been held out to be effective at, not only renewing cultural identity, but in improving the effectiveness of programs offered to Aboriginal offenders, increasing completion rates, reducing recidivism, and supporting reintegration (see Ellerby and MacPherson, 2002; Heckbert and Turkington, 2001; Howell, 2003; Trevethan, 2007). The literature that is available on these programs is scarce and much more information is needed to support our understanding and further development of these programs.

CHAPTER FIVE: CONCLUSION

There is undeniable support and respect for culture-based rehabilitation programs in the literature, and by both the Aboriginal and non-Aboriginal communities. It is important to listen to what Aboriginal people have been saying about what is needed in the way of culture for healing for the men and women that fill Canadian prisons. At the same time, it is important to use empirical knowledge in the design, implementation, and evaluation of programs. The process of introducing culture into prison rehabilitation has begun, and the evaluations that have been done to date have been positive and promising. However, given all that has been written about culture-based rehabilitation programs, there is still much to be known and understood regarding the significance of identity and the role of culture. While some reports suggest programs that expose Aboriginal offenders to spiritual and cultural traditions can make a major contribution to rehabilitation, the discussion of how and why culture and spirituality facilitate this does not go far enough.

A report published by the National Network for Aboriginal Mental Health and Healing Research (2008) revealed that what is meant by 'culture-based healing' has not been well-defined. The literature also reveals that how and why culture-based programs work is not well-understood. Trevethan et al. (2001) suggested that culture-based rehabilitation programs for federal offenders showed positive effects, but acknowledged the philosophical underpinning and how they worked to assist in rehabilitation had not been studied. Smallshaw et al. (2002) found that traditional methods of healing were considered important, but acknowledged why they were effective was not well understood. Given the staggering numbers of over-representation, and the anticipated growth of the problem due to demographics, the importance of cultural identity and the role of culture in rehabilitation is a critical issue. Culture-based rehabilitation programs are being held up to be the most promising practices for enhancing the rehabilitation of Aboriginal

offenders and the Canadian government has made legislative amendments and developed policy to support the implementation of culture-based programs for nearly two decades.

The assumption that the loss of culture and the lack of a strong positive cultural identity are at the heart of the problem of overrepresentation has led to the assumption that culture-based programs are the answer to the problem. This paper has attempted to contribute to the understanding of the theoretical underpinnings of this belief in the importance and centrality of cultural identity. It is clear that cultural identity is important to positive self-esteem. The literature has suggested culture-based programs are pivotal in the development of a cultural identity and that this identity can serve to bolster the positive perception of self. In turn, this can serve as a defense against criminal and self-destructive behavior. It is theoretically possible that culture-based healing programs that incorporate traditional healing practices facilitate rehabilitation, and preliminary research appears to be promising, but we do not know enough and more research needs to be done. Evaluations of the effect of culture-based programs on identity, cultural identity, and self-esteem are required. Research that explores the relationship between traditional healing practices and cultural identity renewal would also be useful.

Despite the fact that culture-based programs have existed in Canada for several decades, there have been few reviews of their effectiveness. Furthermore, the majority of research that has been conducted has not been independent. In 2006, the Correctional Service of Canada reported that the evaluations of the programs that had been developed and implemented by the CSC over the past decade demonstrated positive results (Aboriginal Initiatives Directorate. Correctional Services Canada, 2006), but independent studies are required to have greater confidence in the ability of culture-based correctional programs to achieve their stated and intended objectives.

In effect, research that independently and systematically evaluates culture-based programs for Aboriginal offenders is needed. While there is much attitudinal information available, research that focuses on outcome measures is rare (Singh and White, 2000). Some studies and program evaluations give physical descriptions of the program facilities, a profile of the participants and staff, and some qualitative data on the perceived outcomes of the programs, but they do not explain how or why the programs are effective or the degree to which they are having an effect. A key component of Correctional Services Canada's correctional strategy is to provide rehabilitation programs that target the risks and needs of offenders and that are based on research, but the majority of research conducted on CSC programs has been qualitative in nature. While qualitative research has served to deepen our understanding of the experiences of participants, quantitative research can also add to and strengthen our knowledge base regarding the role of culture in healing. Further research is needed to investigate the actual, as opposed to the perceived, effectiveness of culture-based programs for Aboriginal offenders. Evaluations of culture-based programs should identify the objectives of the program and evaluate whether the objectives are being met or how programs can be improved to ensure that they meet intended outcomes.

If we are to encourage the evaluation of culture-based rehabilitation programs, choosing the right outcome measure is critical. Recidivism is commonly used as an outcome measure because it is easy to measure, and, according to Besozzi (1993), recidivism is an indication an inmate has not developed a well-defined identity while in prison. However, Grifiths and Verdun Jones (1989) stated that recidivism, as a measure of program success, was insufficient as it did not capture behavioral and attitudinal changes. While the tendency to measure program efficiency focuses on public safety, recidivism, and reducing the rate of violent reoffending,

results of culture-based rehabilitation programs have been viewed from a more holistic assessment, and any progress that help offenders sustain their progress on their healing journey. Waldram (1997) argued that we must measure efficacy with a broader understanding of success. We have to look beyond recidivism to understand the net effect of therapy in the transformation of the offender who learns to see himself as a whole and well person (Csordas, 1983 cited in Waldram, 1997). Waldram (1997) suggested that measurement of such outcomes as program completion, change in anti-social attitudes and feelings, peer associations, improvement in family relationships, and increased self-control and self-management would be appropriate measures of culture-based programs. Green (2002) suggested program efficiency could be assessed by a reduction in the number of institutional charges and security/risk ratings, an increase in numbers transferred to minimum security healing lodge facilities, and a reduction in the gaps between Aboriginal and non-Aboriginal offenders in time served before conditional release, rates of parole grants and revocations, and rates of return five years after warrant expiry date.

Over the last decade, the Correctional Service of Canada has been piloting new approaches and programs, but despite the seemingly authentic commitment of the government, the development and implementation of Aboriginal-specific programs has been slow, and the research reveals that one of the concerns associated with culture-based programs is that they are not readily available to Aboriginal offenders. Given the wealth of literature that supports the belief in the effectiveness of culture-based programs, it seems important to encourage research that can contribute to the knowledge and understanding of the role of culture in rehabilitation. This will also support the development and delivery of culture-based healing programs. The scarce amount of research defining and gauging the effectiveness of these programs suggests

that, while they may appear promising, a greater knowledge base upon which to build and expand programs is essential. The need for Aboriginal offenders to have greater access to culture-based programs is abundantly clear, and if efforts to explain the therapeutic efficacy of Aboriginal healing programs helps to justify the need for more resources, then Canadians should encourage the evaluations of programs in ways that provide policy makers with the information needed and in ways that are also respectful of the concerns of Aboriginal people.

The majority of research pertaining to culture-based programs is vague with respect to identifying what traditional practices are being offered. Some studies, such as the review of Stan Daniels Healing Lodge by Nielsen (2003) and the evaluation of the Pê Sâkâstêw healing lodge by Trevethan et al. (2007), identified attributes believed to contribute to program effectiveness, including cultural environment, staff, community involvement, and temporary absences. However, the description and the meaning of traditional healing practices used in these programs were not discussed in any detail, and the author acknowledged further research was needed to determine the factors associated with the success of these programs (Trevethan et al., 2007). More recently, a report published by the National Network for Aboriginal Mental Health and Healing Research (2008) found that, while program evaluation reports often alluded to cultural events and traditional activities, they seldom examined the components of these programs.

LaPrairie (1996) suggested that evaluations of culture-based programs should not only identify the type and duration of cultural programming, but that other critical questions be asked pertaining to the legitimacy of cultural providers and whether there existed a cultural denominator acceptable to all Aboriginal offenders. Evaluating culture-based programs is a contentious issue. For example, Waldram (1997) explored the issue of examining and evaluating culture-based programs and described the two opposing camps – the non-Aboriginal society with

its scientific traditions of quantifying knowledge who criticized scholars who accepted anecdotal information as sufficient evidence, and the Aboriginal society who objected to spiritual and culture-based programs being measured only in scientific terms and insisted knowledge must be interpreted and qualified. The dilemma centers on whether it is appropriate to measure Aboriginal programs by Western standards of proof when they are derived from a different culture and historical context (Waldram, 1997). The positivist tradition of science demands proof of efficacy of programming, but advocates of culture-based programs question the appropriateness of measuring and evaluating culture-based programs as they do not agree the efficacy of such programs can only be evaluated in scientific terms.

Aboriginal culture has been the subject of scrutiny and criticism for so long that man Aboriginal people do not trust that a system that is based on the values and beliefs of their oppressors could ever give them a fair assessment (Waldram, 1997). Waldram (1997) questioned whether Aboriginal forms of rehabilitation ever expect to receive fair consideration when the methods for assessment are derived from a cultural system that historically oppressed them. Further, he questioned whether it was appropriate to ask that Aboriginal spiritual programs be validated. However, the tendency of each camp to be exclusive or dismissive of the other, in an attempt to elevate and assert their position, only serves to perpetuate the intolerance of one group against the other.

This oppositional discourse and the suggestion that one approach is right while the other is wrong only serves to perpetuate the historical politics that pit one group against the other and only serves to act as a barrier to our understanding. However, the two positions are not incompatible. On the contrary, they are mutually enhancing and the use of mixed methods can support scholarly work. Qualitative, research helps us to understand the effects of culture-based

programs on an individual level. A qualitative approach can also examine ideas that may elude a strict quantitative research study. Quantitative research can support those findings by speaking to reliability so that the findings are not dismissed as mere anecdotal evidence by some segments of the scientific community. Qualitative and quantitative research answer different questions, each has their strengths and weaknesses, and we cannot afford to exclude the knowledge generated by either. Public policy should be driven by research and by the concerns of the Aboriginal community, and academics must be ideologically tolerant and receptive to the idea of both methods of research occurring simultaneously to bring forward the knowledge necessary to support the further development for culture-based programs.

Over a decade ago, Waldram (1997) suggested that the lack of research on Aboriginal healing programs may be due to the lack of understanding of the therapeutic components of these programs and the sense that they were not officially viewed as rehabilitation program, but likened to religious services offered to non-Aboriginal inmates. As stated earlier, it is critical to emphasize that there is a gap between accepting cultural differences and embracing another culture. While culture has been introduced into the prison system, to some degree, it is not clear that these programs and program facilitators are regarded to the same degree as bio-medical theory and practice and Western-trained clinicians and therapists within the institutions. While the Canadian government has made efforts to incorporate elements of culture into the criminal justice system, and programs and policies based on culture can be seen in the area of offender rehabilitation, it is not clear government and corrections officials have elevated traditional healing methods and the role of Aboriginal culture to be on a par with contemporary Eurocentric models of treatment. For culture-based healing to be equivocated to European-based traditions of rehabilitation, the proof may need to be presented in a way policy makers can understand.

While it is certainly true that some of the changes necessary to address the cause of Aboriginal over-representation lie outside of the formal criminal justice system and lie in the domains of social and economic development, Correctional Service Canada appears to be authentic in its stated ambition to deliver rehabilitation programs within the prison system designed to meet the needs of Aboriginal offenders. Making the changes to the correctional system that better meet the rehabilitative needs of Aboriginal offenders benefits not only those offenders, but the families and communities of these offenders as well. In this way, culture-based rehabilitation programs may not only assist the individual offender, it is hoped that they also contribute directly to the rebuilding of the social and economic structures and the transformation of Aboriginal communities. Aboriginal offenders are family and community members and their healing contributes to the wellness of others. Recognizing these relationships, it is clear that criminal justice agencies have a significant role to play in the rebuilding and transformation of the social fabric of Aboriginal communities.

Bibliography

Aboriginal Initiatives Directorate. Correctional Services Canada. (2006). *Strategic Plan for Aboriginal Corrections. Innovation, Learning & Adjustment. 2006-07 to 2010-2011.*

Aboriginal Women and Traditional Healing. An Issue Paper. (2007). *National Aboriginal Women's Summit.* Corner Brook.

Allan, A., & Dawson, D. (2004). Assessment of the risk of reoffending by Indigenous male violent and sexual offenders. *Trends and Issues in Crime and Criminal Justice* , 280, 1-6.

Amellal, D. (2006, August). A Rendez-vous With Success. *Let's Talk. , 31* (1), pp. 6-7.

Amellal, D. (2006, August). Okimaw Ohci Healing Lodge. No walls, no wire, but I will never run away. *Let's Talk.* , pp. 10-12.

Amellal, D. (2006, August). The Pathways Unit at La Macaza Institution. The Path to Personal Growth and Healing. *Let's Talk.* , pp. 8-9.

Australian Bureau of Statistics. (2003). *Corrective Services - June 2003 Quarter.* Canberra: ABS.

Achtenberg, M. (2000). Understanding restorative justice practice within the Aboriginal context. *FORUM on Corrections , 12* (1), 32-34.

Allan, A., & Dawson, D. (2004). Assessment of the risk of reoffending by Indigenous male violent and sexual offenders. *Trends and Issues in Crime and Criminal Justice* , 280, 1-6.

Andrews, D. A., Zinger, I., Hoge, R. D., & Bonta, J. (1990). Does Correctional Treatment Work? A clinicaly relevant and psychologically informed meta-analysis. (P. Gendreau, & F. T. Cullen, Eds.) *Criminology , 28*, 369-404.

Baikie, B. (1997). Programming for Aboriginal Youth in Custody. What Works and Barriers to Success. *Institute of Crime Conference. Juvenile Crime and Juvinile Justice, Towards 2000 and Beyond.* Adelaide.

Battiste, M. (2000). Maintaining Aboriginal Identity, Language, and Culture in Modern Society. In Battiste (Ed.), *Reclaiming Indigenous Voice and Vision.* (pp. 192 - 208). Vancouver, BC: UBC Press.

Bell, A., & Flight, J. (2006). *An Evaluation of the Spirit of the Warrior Program for Women Offenders.* Ottawa: Correctional Service of Canada. Research Branch.

Benton-Benai, E. (1988). *The Mishomis Book.* Minnesota: Red School House.

Berry, J. W. (1999). *Aboriginal Cultural Identity*. Retrieved from www.brandonu.ca/library/cjns/19.1

Besozzi, C. (1993). Recidivism. How Inmates see it. *Forum on Corrections Research , 5* (3), pp. 35-38.

Boeree, C. G. (2006). *Personality Theories*. Retrieved from www.social-psychology.de/do/pt_erickson.pdf

Boeree, G. (2006). *Personality Theories: Alfred Adler*. Retrieved 05 07, 2010, from http://www.ship.edu/`cgboeree/adler.html

Bonta, J. (1997). *Offender Rehabilitation: From Research To Practice.* Ottawa: Public Works and Government Services Canada.

Bonta, J., Bourgon, G., Rugge, T., Scott, T.-L., Yessine, A. K., Gutierrez, L., et al. (2010). *The Stratiegic Training Initiative in Community Supervision: Risk-Need-Responsivity in the Real World.* Ottawa: Public Safety Canada.

Bonta, J., LaPrairie, C., & Wallace-Capretta, S. (1997). Risk prediction and re-offending: Aboriginal and non-Aboriginal offenders. *Canadian Journal of Criminology* , 127-144.

Bonta, J., Lipinski, S., & Martin, M. (1992). The characteristics of Aboriginal recidivists. *Canadian Journal of Criminology* , 517-522.

Bourgon, G., Bonta, J., Rugge, T., Scott, T.-L., & Yessine, A. K. (2009). *Translating "What Works" into sustainable everyday practice: Program design, Implementation, and Evaluation.* Retrieved from http//www.publicsafetycanada.gc.ca/res/cor/rep/_fl/2009-05-pdie-eng.pdf

Brasfield, C. R. (2001). Residential School Syndrome. *BC Medical Journal , 43* (2), 78-81.

Brendtro, L. K., Brokenleg, M., & Van Bocken, S. (1990). *Reclaiming Youth At Risk: Our Hope for the Future.* Bloomington: National Education Service.

Brennan, J. (2006). Successful First Nations policy development: Delivering sustainability, accountability, and innovation. In S. W. J. White, *Aboriginal Policy Research: Moving Forward, Making a Difference.*

Brown, J., Higgitt, N., Wingert, S., & Miller, C. (2005). Challenges faced by Aboriginal youth in the inner city. *Canadian Journal of Urban Research* , Vol. 14, Issue 1, 81-106.

Buller, E., & Louttit, P. (2003). *Offenders as resources in crime prevention.* Retrieved from Correctional Service Canada: http://198.103.98.138/text/pblct/forum/e151/151_e.pdf

Calverley, D., Cotter, A., & Halla, E. (2010). Youth custody and community services in Canada, 2008/2009. *Juristat , 30* (1).

Cannon, M. J. (2007). Revisiting Histories of legal Assimilation, Racialized Injustice, and the Future of Indian Status in Canada. In J. P. White, E. Anderson, W. Cornet, & D. Beavon (Eds.), *Aboriginal Policy Research: Moving Forward, Making a Difference Volume V.* (pp. 35-48). Toronto: Thompson Education Publishing.

Chandler, M. J., & Lalonde, C. E. (2008). Cultural continuity as a protective factor against suicide in First Nations youth. *HORIZONS , 10* (1).

Chansonneuve, D. (2007). *Addictive Behaviors Among Aboriginal People in Canada.* Ottawa: Aboriginal Healing Foundation.

Chartier, G., & Rankin, B. (2006, August). Focus on Effective Interventions for First Nations, Metis and Inuit Offenders. *Let's Talk. , 31* (1), pp. 5-6.

Corrado, R. R., & Cohen, I. M. (2002). A needs profile of Aboriginal youth in prison. *FORUM on Corrections Research , 14* (3), 20-24.

Corrado, R. R., & Cohen, I. M. (2003). *Mental Health Profiles for a Sample of British Columbia's Aboriginal Survivors of the Canadian Residential School System.* Ottawa: Aboriginal Healing Foundation.

Corrado, R., Cohen, I., & Watkinson, A. (2008). The Over-representation of Aboriginal youth in custody. Policy changes. *Horizons* , Vol. 10, No. 1, 79-82.

Correctional Service Canada, Reintegration Programs Division. (2004). *Program Description Tables.*

Correctional Services Canada. (1996). *Correctional Services Canada.* Retrieved 03 04, 2010, from http://www.csc-scc.gc.ca/text/prgrm/abinit/documents/spac06_e.pdf

Couture, J. (1992). Traditional Aboriginal spirituality and religious practice in prison. In R. Silverman, & M. Nielson (Eds.), *Aboriginal Peoples and Canadian Criminal Justice.* Toronto, Ontario: Butterworths.

Deane, L., Bracken, D. C., & Morrissette, L. (2007). Desistance within an urban Aboriginal gang. *Probation Journal , 54* (2), 125-141.

Doone, P. (2000). *Report on Combating and Preventing Maori Crime.* Wellington, New Zealand: Crime Prevention Unit, Department of the Prime Minister and Cabinet.

Dowden, C., & Serin, R. (2000, January). Assessing the needs of Aboriginal women offenders on condtional release. *Forum on Corrections , 12* (1).

Duran, B., & Duran, E. (2000). Applied Post-Colonial Clinical Research Strategies. In M. Battiste (Ed.), *Reclaiming Indigenous Voice and Vision.* Vancouver: UBC Press.

Ellerby, L. A., & Ellerby, J. H. (1998). *Understanding and Evaluating the role of Elders and traditional healing on sex offender treatment for Aboriginal Offenders* . Ottawa: Aboriginal Peoples Collection. Aboriginal Corrections Policy Unit. Solicitor General.

Ellerby, L. A., & MacPherson, P. (2002, January). *Exploring the Profiles of Aboriginal Sexual Offenders: Contrasting Aboriginal and non-Aboriginal sexual Offenders to Determine Unique Client Characteristics and Potential implications for Sex Offender Assessment and Treatment Strategies.* Retrieved from WWW.csc-scc.gc.ca/text/rsrch/reports/r122/r122_e.pdf

Finch, B. K., Kolody, B., & Vega, W. A. (2000). Perceived discrimination and depression among Mexican-origin adults in California. *Journal of Health and Social Behavior , 41* (3), 295 - 313.

Francis, D. (1992). *The Imaginary Indian: The Image of the Indian in Canadian Culture.* Vancouver: Arsenal Pulp Press.

Frideres, J. S. (1993). *Who is a native? Native peoples in Canada: Contemporary conflicts.* Englewood Cliffs: Prentice-Hall.

Furlong, A., & Grant, B. A. (2006). Women Offender Substance Abuse Program: Interim results. *Forum On Corrections Research , 18* (1).

George, J. M. (2000). Emotions and leadership: The role of emotional intelligence. *Human Relations , 53*, 1027-1055.

Gottfredson, D. M., & Snyder, H. N. (2005). *The Mathematics of Risk Classification: Changing Data into Valid Instruments for Juvenile Courts.* Washington, USA: US Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

Grant. (2006). National thematic workshop on corrections: Addressing substance abuse through collaboration. *FORUM* .

Green, N. (2002). *Aboriginal pathways in federal corrections.* Aboriginal Community Development, Aboriginal Issues, Correctional Operation and Programs. Correctional Service of Canada.

Griffiths, C. T., & Verdun-Jones, S. (1989). *Canadian Criminal Justice.* Toronto: Butterworths Canada.

Guimond, E. (2003). Fuzzy Definitions and Population Explosion: Changing Identities of Aboriginal Groups in Canada. In D. Newhouse, & E. Peters (Eds.), *Not Strangers in These Parts.*

Urban Aboriginal Peoples (pp. 35-50). Ottawa: Government of Canada. Policy Research Initiative.

Hamilton, A., & Sinclair, C. (1991). *Report of the Aboriginal justice inquiry of Manitoba VI: The justice system and Aboriginal people.* Winnipeg: Province of Manitoba Queen's Printer.

Hart, M. (2007). Indigenous knowledge and research: The Mikiwahp as a symbol for reclaiming our knowledge and ways of knowing. *First Peoples Child and Family Review , 3* (1), 83-90.

Hart, M. (2002). *Seeking Mino-Pimatisiwin: An Aboriginal Approach to Helping.* Halifax: Fernwood Publishing.

Hartnagel, T. F. (2004). The Rhetoric of Youth Justice in Canada. *Criminal Justice: The International Journal of Policy and Practice , 4*, 355-374.

Heckbert, D., & Turkington, D. (2001). *Turning Points: A Study of the Factors Related to the Successful Reintegration of Aboriginal Offenders.* Ottawa: Correctional Services of Canada.

Heilbron, C. L., & Guttman, M. A. (2000). Traditonal healing methods with First Nations women in group counselling. *Canadian Journal of Counselling , 34* (1), 3-13.

Herman, J. L. (1992). *Trauma and Recovery: The aftermath of violence - from domestic abuse to political terror.* New York: Basic Books.

Hodgson, M., & Heckbert, D. (1994). *Healing, Spirit and Recovery: Factors Associated with Successful Integration.* Ottawa: Solicitor General of Canada.

Howell, T. (2003). Culture, Healing and Spirituality and Their Influence on Treatment Programs for Aboriginal Offenders. The University of British Columbia.

Howell, T. (2008, Fall). The Point of No Return: Aboriginal Offenders' Journey Towards A Crime Free Life.

Howells, K., Day, A., Byrne, S., & Byrne, M. (1999). Risk, Needs and Responsivity in Violence Rehabilitation: Implications for Programs with Indigenous Offenders. *Best Practices. Interventions in Corrections for Indigenous People Conference.* Adelaide: Institute of Crime.

Hughes, P., & Mossman, M. J. (2001). *Re-thinking Access to Criminal Justice in Canada: A Critical Review of Needs, Responses and Restorative Justice Initiiatives.* Research and Statistics Division. Department of Justice Canada.

Jilek, W. G., & Todd, N. (1974). Witchdoctors succeed where doctors fail: psychotherapy among Coast Salish Indians. *Canadian Psychiatric Association Journal* , 351-6.

Johnston, C. (1994). *Northern Aboriginal Offenders in Federal Custody: A Profile Research Report.* Ottawa: Research Branch. Correctional Service Canada.

Johnston, J. C. (2000). *Aboriginal Federal Offenders Survey.* Retrieved from Correctional Service of Canada: http://198.103.98.138/text/pblct/forum/e121/v12n1a8e.pdf

Johnston, J. C. (1997). *Aboriginal offender survey: Case files and interview sample.* Research Branch, Correctional Services of Canada, No. R-61.

Kelly, P. (1991). The Value of First Nations Languages. In D. Jensen, & C. Brooks (Eds.), *In Celebration of our Survival* (pp. 141-149). Vancouver: University of British Columbia Press.

Kirmayer, L. J., Brass, G. M., & Tait, C. L. (2000). The mental health of Aboriginal peoples: Transformations of identity and community. *Canadian Journal of Psychiatry , 45* (7), 607-16.

La Prairie, C. (1995). *Seen but not heard: Native people in the inner city.* Ottawa: Department of Justice.

LaFrambrois, T. (1993). Psychological Impact of Biculturalism. *Psychological Bulletin , 108*, 395-412.

Lane, P., Bopp, J., Bopp, M., & Norris, J. (2002). *Mapping the Healing Journey.* Ottawa: Solicitor General & Aboriginal Healing Foundation.

LaPrairie, C. (2002). Aboriginal over-representation in the criminal justice system: A tale of nine cities. *Canadian Journal of Criminology* , 181-208.

LaPrairie, C. (1996). *Correctional Services for Aboriginals in Canada.* Ottawa: Department of Solicitor General of Canada.

LaPrairie, C. (1992). *Dimensions of Aboriginal over-representation in correctional institutions and implications for crime prevention.* Ottawa: Corrections Branch, Solicitor General, Ministry Secretariat.

LaPrairie, C. (1998). The "new" justice: Some implications for aboriginal communities. *Canadian Journal of Criminology* , Vol. 40, Issue 1.

LaPrairie, C. The Young Offenders Act and Aboriginal Youth. In J. Hudson, J. Hornick, & B. Burrows (Eds.), *Justice and the Young Offender* (pp. 159-168). Toronto: Wall and Thompson.

Latimer, J., & Casey Foss, L. (2005, July). The sentencing of Aboriginal and non-Aboriginal youth under the Young Offenders Act: A multivariate analysis. *Canadian Journal of Criminology and Criminal Justice.* , pp. 481-500.

Latimer, J., & Foss, C. (2004). *A One-Day Snapshot of Aboriginal Youth in Custody Across Canada: Phase II.* Ottawa: Department of Justice, Research and Statistics.

Lawrence, D., Bracken, D. C., & Morissette, L. (2007). Desistance within an urban Aboriginal gang. *Probation Journal , 54* (2), 125-141.

Leary, M. R., & Tangney, J. P. (2003). *Handbook of Self and Identity.* New York: The Guildford Press.

Mailloux, L. *First Nations and Inuit Health System Renewal: Gender-Based Analysis.* Ottawa: Pauktuutit Inuit Women's Association.

Mason, R. (2004). The Healing of Aboriginal Offenders: A Comparison Between Cognitive-Behavioral Treatment and the Tradtional Aboriginal Sweat Lodge Ceremony. Saskatoon, Saskatchewan, Canada: University of Saskatchewan.

Mason, R. (2000). *The Healing of Aboriginal Offenders: A comparison between Cognitive-Behavioural Treatment and the Traditional Aboriginal Swet Lodge Ceremony.*

Maynard, K., Coebergh, B., Anstiss, B., Bakker, L., & Huriwai, T. (1999). Ki te arotu - Toward a new assessment: The identification of cultural factors which may pre-dispose Maori to crime. *Social Policy journal of New Zealand , 13,* 43-58.

McCaskill, D. (1985). *Patters of criminality and corrections among Aboriginal Offenders in Manitoba.* Ottawa: Correctional Service of Canada.

McCormick, R. (2009). Aboriginal Approaches to Counselling. In E. Laurence, J. Kirmayer, & G. Guthrie Valaskakis (Eds.), *Healing Traditions. The Mental Heal of Aboriginal People in Canada.* (pp. 337-354). Vancouver: UBC Press.

McMillan, A. D. (1990). *Native Peoples and Cultures of Canada. An Anthropological Overview.* Vancouver: Douglas and McIntyre Lts.

McNamara, L. (1992). Aboriginal Human Rights and the Austrailian Criminal Justice System: Self-Determination as a Solution. *Manitoba Law Journal , 21* (3), 544-617.

McWhinnie, A. (2006). The principles and practices related to the "What Works" in Correctional Programming. Vancouver: International Centre for Criminal Law Reform and Criminal Justice Policy.

Mercredi, O. (2000). Aboriginal Gangs...

Mercredi, O. W. (2000). *Aboriginal Gangs. A Report to the Correctional Service of Canada on Aboriginal Youth Gang Members in the Federal Corrections System.*

Mezzich, J. E., Ruiperez, M. A., Yoon, G., Liu, J., & Zapata-Vega, M. I. (2009). Measuring Cultural Identity: Validation of a Modified Cortes, Rogler, and Malgady Bicultural Scale in Three Ethnic Groups in New York. *Cultural Medical Psychiatry , 33*, 451 - 472.

Moore, J. (2003). *First Nations, Metis, Inuit and non-Aboriginal federal offenders: A comparative profile.* Ottawa: Correctional Service Canada.

Motiuk, L., & Nafekh, M. (2000). "Aboriginal offenders in federal corrections: A profile.". *Forum on Corrections Research , 12* (1), pp. 10-15.

Mussel, W. (2005). *Warrior-Caregivers: Understanding the Challenges and Healing of First Nations Menn. A Resource Guide.* Ottawa: The Aboriginal Healing Foundation.

Nielsen, M. O. (2003). Canadian Aboriginal Healing Lodges: A Model For The United States. *The Prison Journal* , 67-89.

Palys, T. S. (1993). *Prospects for Aboriginal Justice in Canada.* Retrieved from http://www.sfu.ca/~palys/prospect.htm

Palys, T., & Victor, W. (2005). *Getting to a Better Place: Qwi:qwelstom, the Sko:to and Self-Determination.* Vancouver: UBC Press.

Parish, M. S. (2008). *Counseling Native Americans: Clinicians's perceptions ofcounseling competencies and characteristics essential to working with Native American clients.*

Pepper, F. C., & Henry, S. L. (1989). Social and Cultural Effects on Learning: Observational vs Verbal.

Perreault, S. (2009, July). The incarceration of Aboriginal people in adult correctional services. *Juristat , 29* (3).

Phinney, J. S. (1990). Ethnic Identity in Adolescents and Adults: Review of Research. *Psychological Bulletin , 108*, 499-574.

Poonwassie, A., & Charter, A. (2001). An Aboriginal view of helping: Empowering approaches. *Canadian Journal of Counselling , 35*, 63-73.

Quinn, A. (2007). Reflections on intergenerational trauma: healing as a critical intervention. *First Peoples Child & Family Review* .

Ranford, J. (1998). *Traditional Native Healing: An Integral Part of Community and Cultural Revitalization.* Retrieved from http://digitalcommons.mcmaster.ca/cgi/viewcontent.cgi?article=1110&context=nexus

Raphael, B., Swan, P., & Martinek. (1998). Intergenerational Aspects of Trauma for Australian Aboriginal People. In Y. Danieli (Ed.), *Handbook of Multigenerational Legacies of Trauma.* New York: Plenum Press.

Report of the Aboriginal Justice Inquiry of Manitoba. (1991). Retrieved October 10, 2008, from http://www.ajic.mb.ca/volume.html

Richardson, C., & Nelson, B. (2007). A Change of Residence: Government Schools and Foster Homes as Sites of Forced Aboriginal Assimilation - A Paper Designed to Provoke Thought and Systemic Change. *First Peoples Child and Family Review , 3* (2), 75-84.

Roach, K., & Rudin, J. (2000, July). Gladue: The judicial and political reception of a promising decision. *Canadian Journal of Criminology* , pp. 355-388.

Roberts, J. V., & Melchers, R. (2003). The incarceration of Aboriginal offenders: Trends from 1978 – 2001. *Canadian Journal of Criminology and Criminal Justice* , 211-242.

Rojas, E. Y., & Gretton, H. M. (2007). Background, Offence Characteristics, and Criminal Outcomes of Aboriginal Youth Who Sexually Offend: A Closer Look at Aboriginal Youth Intervention Needs. *Sexual Abuse: A Journal of Research and Treatment , 19*, 256-283.

Ross, R. (1996). *Returning to the Teachings.* Toronto: Penguin Books.

Royal Commission on Aboriginal Peoples. (1996). Bridging the cultural divide: A report on Aboriginal people and criminal justice and Canada.

Royal Commission on Aboriginal Peoples. (1997). *Gathering strength. Canada's Aboriginal action plan.* Ottawa: Department of Indian Affairs and Northern Development.

Royal Commission on Aboriginal Peoples. (1996). *Looking Forward, Looking Back, vol. 1 of the Report of the Royal Commission on Aboriginal Peoples.* Ottawa: Supply and Services.

Royal Commission on Aboriginal Peoples. (1993). *Public Hearings and Round Tables.* Ottawa: Libraixis Inc.

(1993). *Royal Commission on Aboriginal Peoples: Focusing the Dialogue.* Ottawa: Royal Commission on Aboriginal Peoples.

Rudin, J. (2007, June). *Aboriginal Peoples in the Canadian Criminal Justice System.* Retrieved 12 19, 2009, from Ipperwash Inquiry:

http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/policy_part/research/pdf/Rudin.pdf

Rugge, T. (2006). *Risk assessment of Male Aboriginal Offenders: A 2006 Perspective.* Public Safety and Emergency Preparedness Canada.

Rummens, J. A. (2001, November 1-2). *Canadian Identities: An Interdisciplinary Overview of Canadian Research on Identity*. Retrieved 04 27, 2010, from WWW.metropolis.net.

Rymhs, D. (2006). Appropriating Guilt: Reconciliation in an Aboriginal Canadian Context. *ESC: English Studies in Canada , 32* (1), 105-123.

Santroc, J. W. (1987). *Adolescence. An Introduction.* Bubuque: WMC Brown Publishers.

Schwalbe, C. S., Fraser, M. W., Day, S. H., & Cooley, V. (2006). Classifying juvenile offenders according to risk of recidivism: Predictive validy, race / ethnicity, and gender. *Criminal Justice and Behavior , 33* (3), 329-344.

Sigger, A. J. (2003). Urban Aboriginal Populations: An Update Using the 2001 Census Results. In D. Newhouse, & E. Peters (Eds.), *Not Strangers in These Parts. Urban Aboriginal Peoples* (pp. 15-19). Ottawa: Government of Canada.

Sinclair, M. (1997, April 16 - 17). *Transcript of Presentation by Associate Chief Judge Murray Sinclair.* Retrieved September 07, 2010, from Department of Justice Canada: www.justice.gc.ca

Singh, D., & White, C. (2000). *Rapua TeHuarahi Tika - Searching for Solutions. A review of research about effective interventions for reducing offending by indigenous and ethnic minority youth.* Wellington: Ministry of Youth Affairs.

Sioui, R., & Thibault, J. (2001). *The Relevance of a Cultural Adaptation for Aboriginals of the Reintegration Potential Reassessment Scale (RPRS). Preliminary Study.* Ottawa: Research Branch. Correctional Service Canada.

Skye, J. S. (2006). An Orchid in the Swamp: Traditional medicine, healing, and Identity at an Urban Aboriginal Community Health Center. McMaster University.

Smandych, R., Lincoln, R., & Wilson, P. (1993). Toward a cross-cultural theory of Aboriginal crime: A comparative study of the problem of Aboriginal over-representation. *International Criminal Justice Review ,* Vol. 3, 1-24.

Stenning, R., & Roberts, J. V. (2001). Empty Promises:Parliament, The Supreme Court and the Sentencing of Aboriginal Offenders. *Saskatchewan Law Review , 64*, 137-168.

(2008). Studies in Thereapeutic Meaning and Practise. In J. B. Waldram (Ed.), *Aboriginal healing in Canada.* Ottawa: Aboriginal Healing Foundation.

Swinomish Tribal Community. (1991). *A Gathering of Wisdoms. Tribal Mental Health: A Cultural Perspective.* La Conner: Swinomish Tribal Community.

Tait, C. L. (2003). Fetal Alcohol Syndrome among Canadian Aboriginal People in Canada: Review and Analysis of the Intergenerational Links to Residential Schools. Ottawa: Aboriginal Healing Foundation.

Tajfel, H. (1982). *Social Identity and Inter-group Relations.* New York: Cambridge University Press.

Tajfel, H., & Turner, J. An Integrative Theory of Intergroup Conflict. In W. G. Austn, & S. Worchel (Eds.), *The Social Psychology of Intergroup Relations* (pp. 33-47). Monterey: Brooke-Cole.

Totten, M. (2008). *Promising Practices for Addressing Youth Involvement in Gangs.* Ministry of Public Safety and Solicitor General of British Columbia.

Townsend, T., & Wernick, M. (2008). Hope or Heartbreak. Aboriginal youth and Canada's Future. *Horizons , 10* (1), 4-6.

Trevethan, S., Auger, S., Moore, J.-P., MacDonald, M., & Sinclair, J. (2002). *The effect of family disruption among Aboriginal inmates.* Correctional Service Canada.

Trevethan, S., Auger, S., Moore, J.-P., MacDonald, M., & Sinclair, J. (2001). *The effect of family disruption on aboriginal and non-aboriginal inmates.* Ottawa: Correctional Service Canada & Department of Justice & Assembly of First Nations.

Trevethan, S., Crutcher, N., Moore, J.-P., & Mileto, J. (2007). *Pe SaKastew Centre: An In-Depth Examination of a Healing Lodge for Federally Incarcerated Offenders.* Ottawa: Research Branch. Correctional Services Canada.

Trevethan, S., Moore, J.-P., & Thorpe, M. (2003). *The needs of Metis offenders in federal correctional facilities in British Columbia.* Correctional Service Canada.

Trevethan, S., Steele, N., & Krstic, L. (2004). *Selected Annotated Bibliography: Aboriginal Justice and Corrections Research.* Research Branch Correctional Service of Canada.

Trevethan, S., Tremblay, S., & Carter, J. (2000). *The over-representation of Aboriginal people in the justice system.* Canadian Centre for Justice Statistics, Statistics Canada.

Trimble, J. E. (1991). Ethnic specification, validation prospects, and the future of drug use research. *International Journal of Addictions , 25* (2A), 149-170.

Turner, S. (2002). Training counselors to work with Native American clients. *Annual Conference of the American Psychological Association*, (pp. 1-14). San Francisco.

Waldram, J. B. (1997). *The Way of the Pipe: Aboriginal Spiritual and Symbolic Healing in Canadian Prisons.* Ontario: Broadview Pr.

Waldram, J. (2009). Culture and Aboriginality in the Study of Mental Health. In L. J. Kiramayer, & G. G. Valaskakis (Eds.), *Healing Traditions: the mental health of Aboriginal Peoples in Canada* (pp. 56-79). Vancouver: UBC Press.

Weekes, J. R., & Millson, W. A. (1994). *The National Offender Substance Abuse Pre-Treatment Program: Intermediate Measures of Program Effectiveness.* Ottawa: Correctional Service of Canada.

Welsh, A. (2000). Aboriginal Offenders and Full Parole: A profile. *Forum on Corrections Research , 12* (1), 61 - 64.

Wesley-Esquimaux, C. (2004). *Report on First Nations' Governance over Education: Reclaiming the Circle of Learning*. Retrieved from www.chief-of-ontan.org/Assets/Report.pdf

Wilson, A. (2004). *Living Well: Aboriginal Women, Cultural Identity and Wellness.* Winnipeg: The Prairie Women's Health Centre of Excellence. Women's Health Bureau of Health Canada.

Wyrostok, N. C., & Paulson, B. L. (2002). Cultural Identity. Research to Increase Understanding of Role and Impact.

Wyrostok, N. C., & Paulson, B. L. (2000). Traditonal healing practices among First Nations students. *Canadian Journal of Counselling , 34* (1), 14-24.

Youngblood Henderson, J. (n.d.). Exploring Justice as Healing. *Justice as Healing: A Newsletter on Aboriginal Concepts of Justice.* (Spring), pp. 1-3.

Zellerer, E. (2003). Culturally Competent Program: The First Family Violence Program for Aboriginal Men in Prison. *The Prison Journal , 83* (2), 171-190.

Zion, J. W. (1997). Punishment vs. Healing: How Does Traditional Indian Law Work? *Justice As Healing , 2* (3).